

**Eugene Wzorek v. City of Chicago, transcript of 29 June 1988, 1:30 p.m.**  
**Notes on John Lucille's testimony.**

For the record: This testimony was HIDDEN from record for years, being furnished to Plaintiff in 3 separate PDF files with arcane names and no discernible dates. Therefore, several hours of digital reconstruction was required over the course of several days in order to reconstruct the original transcript, which to the best of ability is recorded here.

This "reconstruction" of the Lucille testimony pages consisted of:

1. properly orienting document pages for reading; 2. matching document page numbers between the various documents provided; 3. matching type, markings, and other indicators between document sections that were provided; 4. "unscrambling" scrambled page sequences, per page numbers; 5. and proofreading between sections / matching pages to confirm accurate typeset, using page match, pagination, and written context as evidence of a final, corrected, right-reading text in original context.

This was accomplished without performing any manipulation of text, markings, or document contents themselves, and a new "master document" was finalized in Adobe Acrobat Professional, using version 8.0.0., document as restored by Timothy ODonnell during the summer of 2018 from furnished files.

As for all reasonable purposes, prior to said July 2018 reconstruction by plaintiff's team, as from disparate and "jumbled" PDF files, it had been believed by Plaintiff and others that John Lucille's testimony in open court on 29 July 1988 had been hidden, obscured, and all but lost.

Mr. Lucille's swearing in and testimony BEGINS on transcript (marked) page 107, lines 8-15, with INTERRUPTION by Ex (Goorski allegations)... and then continues on page 110, line 18.

-----

FOOTNOTE: What is interesting, however, is that an alleged "interruption" outside of court, supposedly caused by Mr. Goorski (witness), printed transcript of which interrupts Mr. Lucille's testimony immediately after Lucille is sworn in, is not only highlighted but (and rather inexplicably) is in fact INCLUDED by clerks in Judge Duff's later decision in this case, for reasons entirely unknown and unclear.

Intentional despoilation of evidence and attempts at hiding/obscuring or otherwise despoiling Mr. John Lucille's testimony in herein cited, as per the clerks of Northern District Illinois, E.D.

-----

**Sworn Testimony of John Lucille: by topic, page and line numbers**

Threats and firings - p. 111, lines 9 through p. 112, line 7. Lucille recalls that Commissioner Barnes emphatically calls for firings prior to any announced "probation"; 21 City supervisors were present, and were threatened with their jobs unless they wrote up other employees.

Ratings and rating slips, complete with Ward notations - p. 112 lines 8-18.

Wzorek's rating, highest without "letter" - p. 112 line 18 through p. 113, line 13.

Political nature of firings by Washington Admin, by Ward - p. 114 line 5 through p. 116 line 1.

## **Notes on John Lucille's testimony, page 2**

Ward Cards, prevalence, maintenance and relevance of, during Washington Admin - p. 117 line 15 through p. 119 line 14.

Sommerford's (supervisor whom fired Wzorek) Ward affiliation, card admitted into evidence - p. 119 line 15 through p. 120 line 19.

Exit interview, mandatory procedures, memorandum - p. 121 line 8 through p. 122 line 25.

Laborers cannot give exit interviews; only Commissioner can fire - page 123 line 1 through 124 line 2.

Court threatens Corporation Counsel with contempt - page 124 line 3-23.

According to Corporation Counsel statements in open court, only the Commissioner had authority to fire - page 124 line 24 through p. 125 line 10.

Supervisors not notified of "new" May 3 memorandum - page 125 lines 11-21.

### **DURING CROSS EXAMINATION**

Political nature of "voluntary" tickets - page 129, lines 2 through 5.

Continuation, presence, maintenance of Ward Cards through Washington Admin - page 129 lines 6-18.

Mr. Lucille did not receive an exit interview, either - page 135 line 20 through page 136 line

Counsel Ex attempts to confront Lucille with City reprimands, Duff intercedes -  
Wzorek cites Fraud Within The Court Record, as per transcript pages 139 and 140, as FELONY FRAUD by clerks:

At this point in the trial, Judge Duff [page 139, line 25] turns to Counsel Ex and asks Ex if he's ever been reprimanded, to which Ex replies affirmative. Wzorek then asks Ex how many times he has been reprimanded in how many years, and Mr. Ex replies with a specific number or reprimands he's received, during his approximately 5 year tenure with the City of Chicago. Wzorek then replies, "So you have more reprimands than John Lucille, in 23 years?", wherein Mr. Ex agrees and proceedings continue.

Per Wzorek's recollection of events, accurate court testimony returns to transcript at or about line 7 of page 140.

*This entire exchange has been removed from the court transcript of proceedings, and constitutes felony misrepresentation of a court proceeding, by defrauding/despoilation of sworn testimony in open court via alteration of court documents.*

Lucille receives "illegal" (unsigned, undated) reprimand from City. complies anyway - p. 141 line 13-25.

### **DURING REDIRECT**

Coercion from supervisors to purchase candidate "fundraising" tickets - page 142 line 19 through page 143 line 11.

**Notes on John Lucille's testimony, page 3**

Ward Cards - page 144 line 22 through page 145 line 13.

Details as to "illegal" reprimand - page 145 line 14 through page 146 line 19.

"Attacking a Commissioner", carrying guns to work, considered lesser offenses than "not wearing a helmet" - page 147 line 6 through page 149 line 13.

**RECROSS**

Maintenance of Ward Cards - page 149 line 18 through page 151 line 22.

**FURTHER REDIRECT**

Maintenance of Ward Card, multiple sets - page 151 line 24 through page 155 line 15.

**FURTHER RECROSS**

Whom "downtown" received the other sets of Ward Cards - page 152 line 18 through page 153 line 14.

**FURTHER REDIRECT**

Ward Cards - page 153 line 16 through page 154 line 9.

**WITNESS EXCUSED**, page 154 line 11.

\*

\*

\*

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EUGENE WZOREK,

Plaintiff,

v

CITY OF CHICAGO,

Defendant.

)

)

)

)

)

84 C 9978

Chicago, Illinois

June 30, 1988

1:30 p.m.

TRANSCRIPT OF PROCEEDINGS

BEFORE: THE HONORABLE BRIAN BARNETT DUFF, Judge

APPEARANCES:

FOR THE PLAINTIFF:

MR. EUGENE WZOREK  
pro se

FOR THE DEFENDANT:

MR. CHARLES E. EX  
MS. MARY SMITH  
MS YONA BROCK

COURT REPORTER:

DOLORES BRENNAN



1 THE COURT: Mr. Wzorek, take the stand, please.

2 EUGENE WZOREK PLAINTIFF RESUMED THE STAND

3 THE COURT: Mr. Wzorek, you are still under oath.

4 THE WITNESS: Yes, sir.

5 THE COURT: Counsel, do you want to introduce counsel,  
6 or the person who is sitting at counsel table with you?

7 MS. SMITH: Yes. This is Yona Brock.

8 MS. BROCK: Good afternoon, your Honor.

9 DIRECT EXAMINATION

10 THE WITNESS: I was going to put in evidence that  
11 Sommerford requested me to be fired for poor work performance.

12 THE COURT: No objection? This is the letter of  
13 June 26, 1984, to Barnes from Sommerford, citing him for poor  
14 performance.

15 MR. EX: We have no objection to that, your Honor.

16 THE COURT: All right, admitted.

17 THE WITNESS: Also, this is the firing slip with  
18 Sommerford's name on the firing slip, with Eugene Barnes.

19 THE COURT: This is Probationary Career Service  
20 Report, Eugene Wzorek, signed by Sommerford and Barnes, dated  
21 June 29, 1984.

22 MR. EX: No objection.

23 THE COURT: All right.

24 THE WITNESS: And this would be -- this was the  
25 January 10, that all the employees got, but we didn't get one

1 for May 3.

2 THE COURT: January 10; status changed to new proba-  
3 tionary career service employee . From Charles Pounian, pur-  
4 ported to be signed by him. Two pages with an attachment.

5 Is there an attachment?

6 THE WITNESS: No, that was all I had.

7 THE COURT: All you had. All right. Next?

8 THE WITNESS: And this is from Barnes, they can't  
9 destroy any records.

10 THE COURT: This is To all personnel from Barnes on  
11 September 23, 1983. Says: "Effective this date all Depart-  
12 ment of Sewers records must be retained until we have received  
13 proper legal authority" et cetera. "Do not throw any" -- under  
14 lined -- "paperwork out", et cetera.

15 All right?

16 MR. EX: We would object to that last one only in the  
17 sense that we have not seen that before today.

18 THE COURT: Well, it was issued by Mr. Barnes to all  
19 personnel. I assume it is a general record of the Department  
20 of Sewers. So the objection is overruled.

21 Now, these will be given exhibit numbers. There  
22 are four. No. 6, will be the letter from Sommerford to Wzorek  
23 dated June 26.

24 THE WITNESS: That is from Sommerford to Barnes.

25 THE COURT: I am sorry. No. 7 will be the probation-  
ary career service reporting form that has been referred to.

1 Next one will be the memorandum from Pounian to  
2 New Probationary Career Service, dated January 10, consisting  
3 of two pages.

4 And No. 9, will be the September 23, letter of 1983,  
5 from Barnes to all personnel on the destruction of all public  
6 records, initialed by Barnes.

7 All right, keep going. Any other records you want  
8 to put in?

9 THE WITNESS: No, I don't have too much more.

10 THE COURT: The firing records?

11 THE WITNESS: That was with the firing notice to  
12 the --

13 THE COURT: Where are your exhibits?

14 THE WITNESS: Mr. Mitchell has them.

15 THE COURT: Do you have any more exhibits?

16 THE WITNESS: No, I don't, sir.

17 (Plaintiff's Exhibits 1 to 9 were received in evidence)

18 THE COURT: Are they listed any place here?

19 THE WITNESS: Yes, they are listed in the pretrial.

20 THE COURT: Who is Mr. Mitchell?

21 THE WITNESS: That was the attorney I had before  
22 this.

23 THE COURT: Have you asked him for them?

24 THE WITNESS: Yes. I am going to call him again  
25 today and ask again. I asked a few times and I just didn't

1 have the money to pay him.

2 THE COURT: You bring the exhibits in before you rest  
3 your case, and you can consider having them admitted. You  
4 tell him that I am subpoenaing the records.

5 THE WITNESS: Okay. I will give him a call when I  
6 get home.

7 THE COURT: Do you know how to issue a subpoena?

8 THE WITNESS: No, sir.

9 THE COURT: Help him issue a subpoena

10 MS. SMITH: That is to Mr. Mitchell?

11 THE COURT: To his lawyer. I want the records.

12 Apparently he is claiming an attorney's lien on them. That is  
13 not going to stop me from getting them for evidence in this  
14 case.

15 MS. SMITH: What precisely are those documents, your  
16 Honor?

17 THE COURT: Speak to him later about them. It is on  
18 his list of exhibits.

19 What else have you got?

20 THE WITNESS: That is about it. Just, you know,  
21 I think they shouldn't change the probationary rules. That  
22 is why I gave that to you.

23 THE COURT: So why do you say then, in summary, that  
24 you were discharged for political reasons?

25 THE WITNESS: Sir, I didn't do anything. And there

1 is a couple of cases I think I got -- no, not on this one --  
2 where it shows if you can show you weren't fired for just  
3 cause, that you had to lean over to actually say there must  
4 be political if there is no other reason to fire you.

5 THE COURT: I don't want to talk law now. I want  
6 to talk facts. You tell me what.

7 THE WITNESS: Well, because I gave Daley the \$1000.  
8 And, I guess according to them I shouldn't have done it.

9 THE COURT: Who said you shouldn't have done it?

10 THE WITNESS: William Sommerford.

11 THE COURT: What did he say?

12 THE WITNESS: He said you can get in trouble for  
13 this. You would be better off giving it to Jane, or giving  
14 it to Harold because Richie Daley has enemies. Because every-  
15 body in the sewer department didn't like Daley. Like when  
16 you have your bumper stickers --

17 MS. SMITH: Objection to anybody in the Sewer  
18 Department.

19 THE COURT: Sustained.

20 THE WITNESS: All right. All I know is when we had  
21 bumper stickers on we were told to take them off. Or Daley  
22 buttons now. Washington's people didn't have to take them  
23 off, or Jane's people didn't have to take them off, but we had  
24 to. They would even burn the stuff in the yard. So that  
25 would tell me they didn't like Richie Daley.

1 MR. EX: Objection to who they are.

2 THE COURT: Sustained. Who are they?

3 THE WITNESS: The district supervisor like Mike  
4 DiIacova. He was one that didn't like him; He said Daley was  
5 a punk, and all that sutff, and he is only ruining the organi-  
6 zation. You know, they need Janie in. And then Madia didn't  
7 like him, and he says that Daley was not like his father.

8 MR. EX: I am sorrv. We are still having problems  
9 hearing. The speed again.

10 THE COURT: Try to speak up.

11 THE WITNESS: DiIacova and Madia all said they didn't  
12 like Daley. They were against Daley and the First Ward, which  
13 has most of the district foreman jobs was for Janie. So the  
14 district foreman would naturally be for Jane Byrne.

15 MS. SMITH: I am going to object to what most of  
16 the district foreman were for.

17 THE WITNESS: They had buttons on.

18 MS. SMITH: Foundation.

19 THE WITNESS: They had the buttons and they were  
20 talking about Jane, and stuff like that.

21 THE COURT: All right. Cross examine.

22 CROSS EXAMINATION

23 BY MS. SMITH:

24 Q Isn't it true that you stated to the Court that you were  
25 fired because you did not support Harold Washington?

1 A Yes, that's part of it.

2 Q Directing your attention to the reference you made and  
3 the \$1000 check to Richard Daley, that would be Richard M.  
4 Daley, the State's Attorney?

5 A Yes, the son.

6 Q And when did you make that donation to Richard M. Daley?

7 A I made that in August of 1982.

8 Q When did Mr. Sommerford make the statement to you about  
9 the possible consequences of making that donation?

10 A He made it after Columbus Day in October. I think it was  
11 Wednesday after Columbus Day. In that October, 1982

12 Q Mr. Wzorek, isn't it true that Harold Washington was not  
13 even elected Mayor until 1983?

14 A Well, the point is, if you let me just be brief on this,  
15 he was running for Mayor. They were all running for it then.  
16 So, in other words, whoever was going to win the title was  
17 going to get the jobs. That's the name of the game.

18 Q Isn't it true Mr. Sommerford specifically stated to you that  
19 you could get in trouble with the incumbent by making that  
20 donation?

21 A No, he says, "you can get in trouble further down the line."

22 Q And he didn't specifically --

23 A Oh, yes, another thing he says, "you better hope the right  
24 person is going to win." He says, "you only got a one out of  
25 three shot." Yes. Thanks for reminding me.

1 Q Do you recall giving a deposition on October 24, 1985,  
2 in this case?

3 A Yes, Ma'am.

4 Q Do you recall being asked the question about the \$1000  
5 donation to Richard Daley?

6 A What was the question?

7 Q Well, I will read from the deposition.

8 "Q Do you have any knowledge or information that  
9 Mr. Sommerford knew that you made a \$1000 contribution to  
10 Richard M. Daley?

11 A This is -- what is hard about this, and I hate to be  
12 stupid in front of you, but what I am trying to say he did  
13 tell me what he knew.

14 Q When did he tell you?

15 A It was about five weeks after giving that \$1000 to  
16 Richard Daley. He came up to me --

17 Q In November of?

18 A No, no.

19 Q In August of 1982?

20 A Is when I gave him money. This happened more like  
21 the last week of September, early October.

22 Q Who was there?

23 A Ron Goorski.

24 Q Who else was there?

25 A Mr. Sommerford and me.



1 " Q And Ron Goorski?

2 A Ron Goorski.

3 Q Where was this?

4 A It was in the First District.

5 Q What did Mr. Sommerford say?

6 A The exact --

7 Q Yes.

8 A I was walking. He said, Hey, Gene, can I talk to you?

9 And he put his arm on my shoulder and he says, I heard you

10 gave Daley some money, a grand. I says, who told you? He

11 didn't want to say. He says, word goes around like that.

12 And I says, I didn't. And he says to me, you might have made

13 a mistake there because Jane Byrne is the incumbent."

14 A Yes. What wasn't asked, when I said I didn't,

15 I was going to try and hide it from, but he knew that I knew

16 it so I admitted it then. I said, yes, I gave it to him. I

17 knew what was going on now. So I was going to try and tell

18 Mr. Sommerford, but I couldn't hold back. They had me for

19 giving the money.

20 Q Now, you also stated that Mr. Sommerford told you to

21 straighten out and make contributions to the 12th Ward Organi-  
22 zation, is that right?

23 A Yes.

24 Q When did he make that statement?

25 A That was in '83. I can't tell you the exact date, but it

1 was in '83, because it was in the back of the First District.

2 Q Was it prior to the election of Harold Washington as  
3 Mayor?

4 A No, this was '83. I can't exactly say. It was '83, but  
5 it was after the \$1000, I know.

6 Q The \$1000 was in '82, was it not?

7 A Right. What I am trying to say, it was after the \$1000,  
8 but it was in '83. I can't see what part of '83 it was. It  
9 was before the probation

10 Q The probation was in '84.

11 A Right, but '83 runs into '84 because don't forget, '84  
12 January, was when the probation started.

13 Q I understand that, but my question is when did Mr.  
14 Sommerford make the statement to you?

15 A In '83, late '83.

16 Q Was it the first part of '83?

17 A No, I think Washington was the Mayor then. Oh, yes, it  
18 had to be because they made William Sommerford the boss then  
19 when Washington got in.

20 Q What else did, or what exactly did Mr. Sommerford say to  
21 you about making the contribution?

22 A Best of my recollection, from what he said, he says,  
23 "you get funny sometimes." He says, "you're not playing the  
24 ballgame right." In those form of words, okay, if you know  
25 what I mean.

1           He says,"even though they are talking about this  
2 patronage, it's bad, they are still going to go along with the  
3 system of taking care of your job."

4           I said,"Bill, you know my house burned." Because  
5 Bill was there when my house burned.

6 Q       Did he specifically warn you about making contributions  
7 to the 12th Ward Organization?

8 A       He said to make them.

9 Q       He told you to make them?

10 A       You still got to give your dues, is the way he put it.  
11 He said, you are still in the game.

12 Q       Do you know who the 12th Ward Regular Democratic Organi-  
13 zation supported in the 1983 mayoral primary?

14 A       Okay. When Swinarski was there, okay, that's '83, when  
15 they supported Daley, but when Molaro come in he was a Byrne  
16 man.

17 Q       Let's just confine ourselves to the mayoral primary.

18 A       Okay. '83 was Daley.

19 Q       The 12th Ward Organization supported Daley.

20 A       The one from Majursik. Now, you got to understand --

21 Q       Mr. Wzorek, I just would like an answer to my question.

22 A       Well, you are saying regular organization. There's two  
23 in that ward. The Regular one supported Daley.

24 Q       That is what I am asking.

25 A       Okay.

1 Q They supported Richard Daley.

2 A Right.

3 Q In the general election, in April of 1983, between  
4 Washington and Epton, who did the 12th Ward Regular Democrats  
5 support?

6 A Epton. Oh, Epton.

7 Q To the best of your knowledge, was Harold Washington a  
8 member of the 12th Ward Regular Democratic Organization?

9 A No, not that I know.

10 Q Was he ever sponsored or supported by the 12th Ward  
11 Regular Organization?

12 A On the regular one, I see. Not the regular one.

13 Q Okay. But it was the 12th Ward Regular Democratic  
14 Organization that you said Mr. Sommerford told you that you  
15 had to keep making contributions to.

16 A Yes, I said that.

17 Q Okay. Now, in the aldermanic elections, that would be  
18 in 1984.

19 A Yes.

20 Q You stated that Molaro ran against Majursik?

21 A Yes.

22 Q Who won that election?

23 A Molaro won. Molaro won that one.

24 Q When was Majursik -- isn't Majursik the current  
25 alderman?

1 A. See, you are mistaken. It was Committeeman elections.

2 Q. I am asking about the aldermanic elections. Who won the  
3 12th Ward aldermanic election in 1984? You stated on direct  
4 examination --

5 A. I think it was Malaro. I'm not really -- -- you know  
6 that's a way back.

7 Q. Now, getting back to these dues you said you were told  
8 to pay, who were you to pay these dues to?

9 A. To your ward. You know.

10 Q. You are talking about the 12th Ward?

11 A. Yes. You pay the ward and buy the tickets.

12 Q. Are you specifically referring to the 12th Ward Regular  
13 Democratic Organization?

14 A. Yes. But there is other tickets you got to understand  
15 involved with all this. You buy tickets in the Sewer Depart-  
16 ment too.

17 Q. I am not asking about those. I am asking about the 12th  
18 Ward Organization.

19 A. Well, all right.

20 Q. Now when you made these contributions to the 12th Ward  
21 Regular Democratic Organization, who did you actually make  
22 the payments to?

23 A. 12th Ward Regular Organization.

24 Q. And who would accept them? Would you go into the office  
25 and make them?

1 A Yeah. Donna would take them, or Quack.

2 Q Tell me who Donna is.

3 A Donna is a clerk. I don't know her last name.

4 Q She was a clerk with the Regular Democratic Organization  
5 in the 12th Ward?

6 A Yes.

7 Q Where is that office located?

8 A It was 4444 South Archer. It is not there no more.

9 Q With respect to Donna, did Donna ever warn you that you  
10 weren't making your contributions?

11 A Yes, in a nice way.

12 Q What did Donna say to you?

13 A She says, you know you have got to talk to these guys  
14 because they are getting impatient, you know.

15 Q When you say these guys, who are you referring to.

16 A You're talking to Quack. Quack was the guy who would ask  
17 for the money.

18 Q Who is Quack?

19 A Quack was Swinarski's brother at the time.

20 Q Explain to the Court who Swinarski is.

21 A Swinarski is the -- was the committeeman at the time of  
22 the 12th Ward.

23 Q Who was Quack?

24 A Quack was his brother-in-law. He was alderman until he  
25 got beat by Majursik.

1 Q What exactly would Donna say to you about not making your  
2 contributions?

3 A She says, in a way, she says, you know, talk to him about  
4 it. See what you can come up with, or what is what. She says,  
5 I am sure you can work something out, but you have to talk to  
6 him.

7 Q Again, to whom?

8 A Quack and them.

9 Q And they are members of the Regular Democratic Organization?

10 A Yes.

11 Q Did they hold any offices in the organization?

12 A He was just --

13 Q Precinct captain?

14 A Everybody was. Those guys were like the bosses. You know,  
15 they were the high echelon.

16 Q When did she warn you about you not making your contribution

17 THE COURT: A precinct captain is not an officer.

18 THE WITNESS: No.

19 BY MS. SMITH:

20 Q I stand corrected. Thank you.

21 A She warned me, okay, before the firing. Like before when  
22 he was, you know, -- in that probationary period and before  
23 that, '83. The house burned down in '83, when I started getting  
24 warnings after that.

25 Q From Donna?

1 A. No, from --

2 Q. Quack warned you also?

3 A. Well, Quack says they got to pay the light bills and pay  
4 the girl out there. That was the warnings he was giving. He  
5 says, hey, you just down run on, you know. You got to stock  
6 the refrigerator with beer, and stuff like that. I said,  
7 George, I ain't got it now.

8 Q. Isn't it true William Sommerford never made any statements  
9 to you regarding your political contribution after Harold  
10 Washington was elected?

11 A. I only seen Bill Sommerford, I talked to Bill Sommerford  
12 three times. Oh, no, no. No.

13 Q. I am asking you a specific question, yes or no.

14 A. No, you are wrong. He did because that was after Harold  
15 was elected when he said about paying the dues, and that.  
16 Yes, I told you '83. Harold was already mayor.

17 Q. Do you recall your deposition back in October, 1985?

18 A. No. That is a long time ago.

19 Q. Okay. Do you recall being sworn in? Sworn in by the  
20 court reporter?

21 A. I probably was.

22 Q. And swearing to tell the truth?

23 A. Yes.

24 Q. On page 130 of your deposition that you gave then, you  
25 were asked the question:



1 "Q Did Mr. Sommerford ask you about your contribu-  
2 tions after Harold Washington became mayor?"

3 And your answer back in 1985 was no.

4 A Can I explain that now? Okay. What I meant is he didn't  
5 ask me to pay nothing at work no more. Tickets at work. But  
6 about the 12th Ward, yeah. I thought she was referring to  
7 when we used to buy tickets and like for parties, and whoever  
8 was running that they wanted. See, that's what I was talking  
9 about. When she stated that sentence, we were like talking  
10 about the work, not in the Ward.

11 Q But the question reads did Mr. Sommerford make any  
12 statements to you about contributions.

13 A Then I must have misunderstood that. I know what you are  
14 talking about. He told me about my ward. I must have mis-  
15 understood that. I stand corrected.

16 Q Who did you vote for in 1984, first of all in the primary  
17 election?

18 A In the primary election I voted for Richard Daley, of  
19 course.

20 Q And the general election who did you vote for?

21 A I voted for who Richard Daley told me.

22 Q Who was that?

23 A Harold Washington.

24 Q So you voted for Harold Washington.

25 A Yeah, but he didn't know it.

1 Q Isn't it true you also made a contribution to Harold  
2 Washington?

3 A Can I explain that?

4 Q Yes or no.

5 A Fifty cents. Yes.

6 Q Isn't it true you made a \$25.00 contribution?

7 A Was it \$25.00? I think it was my father. Because we are  
8 in a Spanish neighborhood, if I can relate to that.

9 Q Do you recall making a contribution to Harold Washington  
10 for \$25.00?

11 A It was like this.

12 Q Yes, or no, Mr. Wzorek.

13 A I don't know if they really gave it to Harold. They were  
14 just knocking on the door. They were Mexican kids. We didn't  
15 want no trouble with our windows or painting on our house.

16 Q Regarding your deposition of October 19, 1985, page 99,  
17 you were asked, "Have you made any contribution to Harold Wash-  
18 ington?" Your answer: "I think I gave \$25.00, if I am not  
19 mistaken. Q. When did you give the \$25.00?"

20 A Now, that is a mistake.

21 Q Can I finish?

22 "A It was in '83, or so. It was a Daley thing for  
23 him, or something like that.

24 Q Do you recall the circumstances?

25 A That was voluntarily given because Daley, I

1 "think was going to back him."

2 Now do you recall making that statement, Mr. Wzorek?

3 A No, I don't recall making that statement, I will tell you,  
4 because now can I clarify that?

5 Q No, I just wanted to ask the question.

6 A No, I don't remember making that statement. There is a  
7 few statements I don't recall making.

8 Q Okay. You showed us a business card of William Sommerford  
9 on your direct examination.

10 A Business card?

11 Q From William Sommerford.

12 A Business card?

13 Q The card he was --

14 A Oh, yes. John Lucille, yes.

15 Q John Lucille gave you that?

16 A Yes.

17 Q When did Mr. Lucille give you that card?

18 A Oh, long time ago. We made up copies for everybody.

19 Q Would it have been prior to the election of Harold  
20 Washington?

21 A No, it was in the probation. I am talking a long time  
22 from now.

23 Q So it would be in the first part of 1984?

24 A Yes. It would have to be during the probation. That is  
25 when he got it.

1 Q Mr. Wzorek, I would like to show you what has been marked for  
2 identification as Respondent's Exhibit 13, and ask you if you  
3 recognize that document?

4 MR. SMITH: Your Honor, I have a copy for the Court.

5 THE COURT: Counsel, will you hand those things to the  
6 court reporter? There is a reason for that, historically.  
7 That is the recognition of the bench and the bar. It is a  
8 symbolic separation. That is the bar, and you should not go  
9 around the bar. Same thing with the jury bar by the way.  
10 Lawyers should really not intrude into the jury bar. That is why  
11 we have marshals and other people go for the jury instead of  
12 lawyers. A lot of people don't know the reasons for that.

13 MR. SMITH: I didn't know, to tell you the truth.

14 BY MR. SMITH:

15 Q Mr. Wzorek, do you recognize that document?

16 A Yes I see. I think they had a letter put out like this  
17 before.

18 Q Did you ever receive a document?

19 A I'm pretty sure. I think I did.

20 Q May I also show you what has been marked as Respondent's  
21 Exhibit 14? Do you recognize that document?

22 A I don't recognize this, but I know this one. I think I  
23 seen this one, but this probably was put out. If you say so,  
24 it was.

25 Q I am asking you if you just recognize it.

1 A It was a long time ago.

2 Q You don't recognize it?

3 A No, but --

4 THE COURT: Which one are we looking at?

5 MS. SMITH: 14.

6 BY MS. SMITH:

7 Q Finally, I just want to show you one other one that has  
8 been marked for identification as Defendant's Exhibit 31. Do  
9 you recognize that document?

10 A May I please look at it

11 Q Sure.

12 A No, I don't recognize this one. I don't know.

13 Q Remember giving that to Harry Schroeder, your first  
14 attorney in this case?

15 A Might have been, but I don't remember or recognize it. He  
16 come with a bunch of papers but it's been too long. It is  
17 possible.

18 Q Mr. Wzorek, when you were terminated in June of 1984,  
19 did you ever receive unemployment compensation after that?

20 A Yes, I did.

21 THE COURT: What was the number of that last exhibit?

22 THE WITNESS: That was 31.

23 BY MR. SMITH:

24 Q Did you ever receive unemployment compensation?

25 A I think for six months. If there was an extra month, I

1 can't remember. I did recieve some for six months.

2 Q Isn't it true you recieved an initial six months and then  
3 additional 13 weeks?

4 A It is possible. Yes, you could be right. I said, you  
5 know, little bit longer after that. I don't know if I got the  
6 13 weeks. now. I know there was a little when certain people  
7 were getting them. Later on they stopped them, or something  
8 like that. Something to do with Reagan, or something like  
9 that, but I couldn't tell you exactly. I would have to check.  
10 But if you say so, if you have got the records, then okay.

11 Q Perhaps I could refresh your recollection and read from  
12 your deposition of October 9, of 1985.

13 A About the --

14 Q The amount of time you received other unemployment  
15 compensation.

16 A Okay.

17 Q "Q You collected unemployment?

18 A Yeah.

19 Q For how long?

20 A I think it was six months and then an extra 13  
21 weeks."

22 A Okay. That is probably it.

23 Q Have you held any jobs at all the last four years?

24 A Not at all.

25 Q So subsequent to that six weeks, or six months, plus 13

1 weeks, you have had no income whatsoever?

2 A. No, not myself, not at all. No.

3 Q. Have you applied for jobs?

4 A. Oh, yes. Yeah. Truck driver places. They're all on the  
5 things from compensation if you have got that.

6 Q. Once you were fired, where did you first apply for a job?

7 A. All the truck driver places, Roadway, Wolverine, Goldblatt  
8 Truck, the gum companies, you know, Wriglev's. All over.

9 Q. Are these all in Chicago?

10 A. No, because I live on 75th Place, so you would go out a  
11 little south of Chicago. I couldn't tell you the suburbs.  
12 Could be Burbank, could be anything down Pulaski and Cicero.

13 Q. Could you estimate approximately how many jobs you applied  
14 for?

15 A. Well, you had to go, I think, have to go at least five a  
16 day for compensation, or three a day. You have to sav 15 or  
17 something like that.

18 Q. That was only roughly for the first eight months after you  
19 were terminated?

20 A. Right.

21 Q. Subsequent to not receiving any more unemployment compen-  
22 sation, how many jobs per week did you apply for?

23 A. I went to jobs. Let me tell you, I want to jobs and  
24 started getting depressed. My family doctor told me I was  
25 too depressed and couldn't handle it. So we would sit and talk.

1 He says, you know, you need better help.

2 Q Who is this doctor?

3 A Dr. Weiss told me I needed better help. I didn't go to  
4 the depression or nerve doctor by myself. He told me to go.

5 Q Are you saying you were too depressed to work?

6 A I was depressed. I lost my job, and I was depressed.

7 Q Were you so depressed you could no longer work?

8 A Well, I was trying at first for jobs. I was still trying,  
9 going with medication, but I slowly, as it was happening, I  
10 was losing my house. I was getting depressed and you get to  
11 the point where it was hard to work. He didn't want me to  
12 work. He wanted me to get a little better and get something.

13 Q Did you go to Dr. Weiss then on a regular basis?

14 A I went to Dr. Borden on regular basis. Dr. Weiss on a  
15 regular basis too.

16 Q Now starting? In 1984?

17 A Yes, 1984 I was going to Dr. Weiss but that was for, like,  
18 you know, being sick and after I was getting real depressed  
19 he sent me to Dr. Borden, I think it was in August of 1985,  
20 I went to Dr. Borden. Then I was on a regular basis.

21 Q When you say regular basis, was that once a week?

22 A No, it could be like once every two weeks, then once a  
23 month. Like whenever you could afford it. I wasn't working  
24 and they are expensive. I had to pay that myself. I had no  
25 insurance.

Q Were you receiving any medications from Dr. Borden?



1 A Yes.

2 Q Do you recall what those were?

3 A Senaquon, Zanex and sometimes Festerol a little bit

4 Q Are you still on those medications?

5 A I try to stop now so I can get ready, you know, because I  
6 want to work. I'm trying to slow down. He recommended and  
7 I'm trying to slow down a little bit so I could work and so  
8 something. It is terrible being home.

9 Q That is Dr Borden?

10 A Yes.

11 Q Are you still under Dr. Weiss' care?

12 A Yes. He is my family doctor. I go to him on and off for  
13 medication.

14 Q He is not a psychiatrist?

15 A No.

16 Q But Dr. Borden is?

17 A Dr. Borden is. Dr. Weiss was taking care of my colitis.

18 Q Do you still have some colitis?

19 A Yes. You got to understand the system of colitis. Some-  
20 times it hits you hard, sometimes it don't so I have to get  
21 a shot. And he gives me Benthol and it makes it like, you  
22 know, hold back.

23 Q When is the last time you had to go in for shots?

24 A About a month ago. I think a lot of people have colitis.  
25 It is from a nervous stomach.

1 Q Are you capable of driving a truck today?

2 A Yes.

3 Q Even though you haven't been able to work the last four  
4 years, you are capable?

5 A I'm trying to get back to the truck to do it. My doctor  
6 says he is trying to get me ready to go back to work. That  
7 is the basis of life is working.

8 Q When is the last time you applied for a job?

9 A Before I got sick. When he told me --

10 Q When would that be, Mr. Wzorek?

11 A I applied for jobs while I was being treated by Dr.  
12 Borden.

13 Q When is the last time?

14 A I'm trying to think. Got to remember this is four years.  
15 '86, something like that. Late '86.

16 Q In 1986?

17 A Could have been late '86, right.

18 Q You have been unable to apply for a job for two years,  
19 is that correct?

20 A Nobody wants you, You are too old. You got no education.

21 Q How do you know nobody wants you if you don't apply?

22 A I tried to apply and after that I got more depressed. I  
23 did try to apply. I did try to go for a few weeks. I haven't  
24 got the education even for a truck driver.

25 Q You haven't applied since 1986?

1 A. That is when my doctor said not to.

2 Q. Did your doctor ever subsequent to that say, go ahead and  
3 start applying for jobs again.

4 A. No, not after that.

5 Q. Did he specifically tell you not to apply for jobs until  
6 he told you that in his opinion you were ready to do so?

7 A. Right.

8 Q. That was Dr. Borden?

9 A. Yes, he is the one.

10 Q. Do you read the want ads in the newspapers?

11 A. Yes, at times.

12 Q. Do you read them to see what jobs might be open for some-  
13 one with your experience?

14 A. Sure do. My experience, I don't have much experience.

15 Q. Tell me about your experience. What kind of jobs have  
16 you held in the past besides being a motor truck driver?

17 A. I was a city worker before that.

18 Q. I understand that. Before you worked for the city.

19 A. Before I worked for the city?

20 Q. Right.

21 A. Well, I was a garbage man. I used to pick up garbage.

22 Q. That was the City of Chicago?

23 A. Yes, but that is what I started in 1965 for the City.

24 Q. That was prior to 1965 what jobs did you have?

25 A. I was trying to go to trade school.

1 Q Did you actually go to trade school?

2 A I went to -- I helped m uncle move furniture. I went  
3 back to school, you know, and tried to get back in education  
4 but I was like a little bit too old.

5 Q Did you complete high school?

6 A No.

7 Q You completed grammar school?

8 THE COURT: How old are you?

9 THE WITNESS: 43.

10 THE COURT: Did you complete high school?

11 THE WITNESS: No, sir, I just went to grammar school,  
12 one year high but I didn't pass that one year. I just got the  
13 one year.

14 THE COURT: Can you read?

15 THE WITNESS: Yes, I can read.

16 BY MR. SMITH:

17 Q Do you still belong to the union, Mr. Wzorek?

18 A I got a withdrawl card. I guess I do, Withdrawal card  
19 means you still belong to the union, but you don't have  
20 to pay dues.

21 Q Ever gone down to the union hall to find out what jobs are  
22 available down there?

23 A I went on my own. I didn't even know the union hall was  
24 going to do anything for you. They don't want nothing to do  
25 with that after you get fired.

1 Q But you never went down there to see if there were any  
2 job openings?

3 A Not the union hall.

4 Q Yet you still remain a union member?

5 A You always keep the card because you've got to have  
6 your truck driver card if you get lucky.

7 MS. SMITH: If I could just have a moment.

8 THE COURT: While you are doing that, let me ask a  
9 question. Do they hire at the union hall?

10 THE WITNESS: I don't think so. I don't know.  
11 They don't want nobody with no education.

12 BY MS. SMITH:

13 Q Mr Wzorek, with respect to the medication you said you  
14 have been taking, does that make you drowsy at all?

15 A I still haven't taken lately because now I feel a lot  
16 better. Feel a bit better but I am going to go back to Dr.  
17 Borden to see what he says.

18 Q But they would make you drowsy if you did take one?

19 A Certain ones would a little bit.

20 Q When exactly did Dr. Borden tell you you could not work  
21 because of the mental stress?

22 A Let's see. '85 I was still trying to look for jobs.  
23 Around '86, I think. I would have to check back. I had a  
24 letter from him. '86, somewhere in there.

25 Q Did he specifically tell you not to look for work until

1 he gave you instructions to do otherwise?

2 A Yes. I had letters from him that I have to -- yeah, I  
3 think he says, yeah. you're not ready yet.

4 Q He wrote to you and said --

5 A No, no, he told me but like when I was having letters  
6 for Harry Schroeder, he would write the letter. Harry would  
7 see the letter.

8 Q To this date he has not yet told you that you are --

9 A He says, I'm getting better. Getting better. Should be  
10 maybe a few months. Maybe I will be ready about a month.  
11 It is hard out here. You know, when you don't do nothing  
12 and you can't get it. It is miserable.

13 MS. SMITH: I have nothing further.

14 THE COURT: Now, there is a system, Mr. Wzorek,  
15 called direct examination, cross examination and redirect  
16 examination. That means at this time you can testify on  
17 matters that were discussed, or just asked in cross examination  
18 which weren't covered in your direct examination. If it was  
19 already covered in your direct examination, you can't repeat  
20 it.

21 THE WITNESS: Like in other words when she asked me  
22 about giving money to Harold Washington.

23 THE COURT: You can comment on that.

24 THE WITNESS: Okay. That happened. What I was trying  
25 to say wasn't in there. When I was by my ma's house, when they

1 come to the door asking for money, you don't know if they  
2 are really going to give it to Harold Washington, but you do  
3 give them the money. So they don't bother you. So you don't  
4 get your fence painted, or garage painted. So you just give.  
5 You know what I mean, your Honor.

6 MS. SMITH: I'm sorry. I didn't hear the last part.

7 THE COURT: He said, you know what I mean, your Honor.

8 THE WITNESS: Well, you know, what I mean, like,  
9 okay. What I commented on that is, when you are in the  
10 neighborhood, like it is a changing neighborhood, and you  
11 just go along with the show. If they do come to give for  
12 anybody, and you give it to them because you want to be a  
13 part of, you know, you don't want to trouble.

14 Maybe you don't live in that kind of neighborhood,  
15 but that is the system. So in order if they knock on the  
16 door for Harold Washington and want \$25.00, you don't even  
17 know if they are going to give it to Harold Washington.

18 THE COURT: Anything else?

19 THE WITNESS: About being sick, well, you get  
20 mentally depressed. The point is you feel worthless, and you  
21 just can't handle it.

22 THE COURT: Anything else?

23 THE WITNESS: No.

24 THE COURT: Recross?

25 MS. SMITH: None, your Honor.

THE COURT: You may step down. Call your next witness.

1 (Witness excused.)

2 THE COURT: Who is your next witness?

3 MR. WZOREK: I think Ron Goorski.

4 RONALD GOORSKY PLAINTIFF'S WITNESS SWORN

5 DIRECT EXAMINATION

6 BY MR. WZOREK:

7 Q Would you state your name.

8 A Ronald Paul Goorsky.

9 Q Would you give your age and address?

10 A My age is 34. My address is 4431 North Wolcot, Chicago.

11 Q Where do you work?

12 A I work for a private contractor. I am a carpenter

13 Q Have you ever worked for the Sewer Department?

14 A Yes, I have.

15 Q Forom what year to what year?

16 A April 4, 1982 until June 30, 1986.

17 Q Do you know Eugene Wzorek?

18 A Yes, I do.

19 Q Were you present during a conversation between Eugene  
20 Wzorek and William Sommerford?

21 A Yes, I was.

22 MR.EX: Objection as to foundation, as to what  
23 conversation.

24 MR. WZOREK: It is the only one.

25 Q To a conversation between Sommerford talking to me about



1 the Daley contribution?

2 A Yes, I was.

3 Q Would you tell us when and where and what was said?

4 THE COURT: And who was present.

5 Q And who was present.

6 A The three of us were present, Mr. Wzorek was driving the  
7 truck, and I was away by the truck. I was unloading the truck  
8 and Mr. Sommerford came up and approached Mr. Wzorek, and he  
9 questioned him about a contribution to the Daley organization.  
10 He asked if it was a wise thing to make that kind of contri-  
11 bution. He would be better off supporting Jane and Harold.  
12 And Mr. Wzorek told him that it is really none of his concern,  
13 and he says, well, I hope you don't have to -- this doesn't  
14 hurt you in the long run, or something like that.

15 Then he walked away.

16 Q Were you present during the conversation between Eugene  
17 Wzorek and Raymond Wasilewski about downing of a truck and  
18 would you tell us when and where, and what was said.

19 Oh, your Honor, could I go back to that last one?  
20 Could I ask the date of that in case they want to know what  
21 date that conversation was?

22 THE COURT: If he knows.

23 BY THE WITNESS:

24 A Well, the date I would know just from other testimony  
25 I have already given. As far as a statement I made to your

1 other lawyer, but it was --

2 MR. EX: Objection.

3 THE COURT: The question is what date was it?

4 A. I can't recall myself. What I am saying, but I do re-  
5 call the date because it was written.

6 Q. The first one.

7 A. Yes. It was October 20.

8 Q. Something like that.

9 A. And it was on a Wednesday, I know that.

10 Q. That is about it. In that situation you can't tell the  
11 exact date. The conversation between Wasilewski and Wzorek  
12 about breaking down the truck, could you tell us about that?  
13 When it was, where it was, what was said.

14 A. I was working in the first district. I was in the  
15 office for special equipment, and I was out in the yard  
16 walking the yard, and you, Mr. Wzorek, you approached me and  
17 I said, what are you doing here? Because you were from anothe  
18 district. And you said you had to pick up a truck. And  
19 I walked with you over to the garage and Mr. Wasilewski  
20 approached you very quickly and he jumped on you about why  
21 do you call me a bum mechanic, or something like that. And  
22 you said, what is the problem? What is going on? He said,  
23 I hear you're bad rapping me, and all this other sutff. You  
24 are saying, no, I didn't. And he said, well, you're breaking  
25 down trucks. blah, blah, blah. And another mechanic, his

1 subordinate, came from the back, and said, no, no, it is not  
2 Mr. Wzorek. It is not Gene.

3 MR. EX: I object, your Honor. Hearsay statement he  
4 is referring to.

5 THE COURT: Overruled.

6 BY THE WITNESS:

7 A. It is Mr. Benas, he says. Or, Benas. That's what he  
8 said. Not mister.

9 So Mr. Wasilewski walked around, he came back to  
10 you and he says, well, -- oh, he says, I talked to Sommerford  
11 I want you fired.

12 THE COURT: Say that again.

13 THE WITNESS: Well, he said that before the mechanic  
14 came out of the back.

15 THE COURT: He said what?

16 THE WITNESS: "I told Mr. Sommerford about you. I want you  
17 fired." And then he walked around a while and he came back  
18 out to Gene. We were still standing out in front of the  
19 garage door, and he says, I talked to Sommerford and I fixed  
20 it over. It will be okay. Then Mr. Wzorek asked him, well,  
21 can I have the truck? He says, no, you are not getting the  
22 truck and none of the other guys from whatever district, I  
23 don't know where Mr. Wzorek is from, none of them, because I  
24 am going to teach you guys a lesson. I am going to punish  
25 you guys.

1 Q Did you make career service in the six months probation?

2 A Yes, I did.

3 Q What was your ratings

4 A Well, there are different ratings. They changed them.  
5 Well, I think my lowest was out of 100 was 76 and my highest,  
6 they changed it into a -- I don't know, 90, excellent, or  
7 something.

8 Q Do you remember the one during the probationary period?

9 A That would be an 80 something. That would be from Mr.  
10 Krupa.

11 Q There was a rating during --

12 A Yes, there was. There were several pages long.

13 Q Do you remember if the wards were always on the rating  
14 slips?

15 A Yes, they were.

16 Q And would that be in type on the top, or --

17 A Well, different forms. I don't know, but they always  
18 had your ward. You had to put your ward down.

19 Q So your probationary career service you had the ward  
20 on your probationary?

21 A Yes. I had to put it in myself.

22 Q And were you rated?

23 A Yes, I was rated.

24 Q From before you were a witness, have you ever had any  
25 trouble with the Sewer Department, write-ups, or low grades,

1 until you became my witness?

2 A No. I have never been reprimanded.

3 Q Until after you became a witness.

4 THE COURT: Wait. What was that last?

5 MR. WZOREK: I asked --

6 THE COURT: Have you ever been reprimanded, ever?

7 THE WITNESS: Yes, but it was after I talked to  
8 Mr. Wzorek's lawyer and made a statement on his behalf, with  
9 his lawyer.

10 THE COURT: Was that brought into the subject at all?

11 MR. WZOREK: No, I asked him if you have ever  
12 been reprimanded.

13 THE COURT: I heard what you said. Was that your  
14 testimony?

15 THE WITNESS: Well, I was told that I was -- I  
16 mean, by management already, Mr. DiIocova told me that I was  
17 a witness for him and I am going to have to pay for it. I  
18 mean, that would be down the line I was transferred.

19 THE COURT: Mr. DiIocova said that to you?

20 THE WITNESS: Yes, he did.

21 THE COURT: When?

22 THE WITNESS: I was transferred. That was after this  
23 incident. After I already gave my statement to his attorney.

24 THE COURT: Who was there when he said it?

25 THE WITNESS: Mr. Fred Haas

1 THE COURT: Then what happened?

2 THE WITNRSS: Oh, I was docked money off my pay check  
3 Mr. Haas and I used to work together. We worked the same hours  
4 and my pay check would be out of a two week period, would be  
5 \$100 shorter than his, and I questioned Mr. DiIocova. I  
6 wanted a grievance procedure. Grievance form. I went to  
7 City Hall. They declined to give me any type of cooperation.  
8 I went to the union. The union had no contract with the City  
9 so they couldn't negotiate for me.

10 THE COURT: Thank you. Keep going.

11 BY MR. WZOREK:

12 Q Have you ever been told that you were a stool pidgeon by  
13 anybody for coming to my defense? Or being a witness for me

14 A NO.

15 Q Have they ever picked on you?

16 A Well, the harassment I am talking about. Being harassed  
17 quite a bit, and being docked money. I have got all the  
18 check stubs.

19 Q But you were not terminated? You resigned on your own.

20 A Yes, I did.

21 THE COURT: Was that the only time it was mentioned.

22 THE WITNESS: It would be through other people.  
23 I wouldn't hear it directly. That was the only time it ever  
24 happened from someone in management.

25 MR. WZOREK: Thank you, and I am sorry it happened

1 to you on my behalf.

2 THE COURT: Cross examine.

3 Where are you working now?

4 THE WITNESS: I am a carpenter. I work for  
5 Seminary Construction Company.

6 THE COURT: Where do you live?

7 THE WITNESS: Montrose and Damen.

8 CROSS EXAMINATION

9 BY MS. SMITH:

10 Q Isn't it true that until recently you had your own law-  
11 suit against the City of Chicago.

12 A Yes, I did.

13 Q Isn't it true Mr. Wzorek was going to be your witness  
14 in that lawsuit?

15 A Yes, he was.

16 Q Isn't it true that you have been reprimanded several  
17 times as a City of Chicago, Department of Sewers employee?

18 A Yes, after I gave that statement.

19 Q When did you give that statement?

20 A September 27, 1985.

21 Q Isn't it true you were reprimanded on August 15 of 1984?

22 A No.

23 Q By M. Sturgis? Let me show you what has been marked for  
24 identification as Defendant's Exhibit No. 30.

25 A All right. Yes, I was reprimanded by her.

1 Q Now, directing your attention to the conversation which  
2 you were present at with Mr. Wasilewski, Mr. Wasilewski said  
3 Sommerford told him he wanted you fired.

4 A Yes, he did.

5 MR. WZOREK: Objection.

6 Q Wanted Mr. Wzorek fired.

7 A Yes.

8 Q I will ask it again. Mr. Wasilewski stated that Mr.  
9 Sommerford said he wanted Mr. Wzorek fired.

10 A No, he told Mr. Sommerford he wanted him fired. Mr.  
11 Wasilewski wanted Gene fired.

12 Q Did Mr. Wasilewski tell you in this conversation he  
13 spoke to Commissioner Barnes?

14 A He implied it.

15 Q What do you mean implied?

16 A Not Barnes. Sommerford. As far as Barnes, I don't know  
17 anything.

18 Q Was politics mentioned at that conversation?

19 A No.

20 Q Isn't it true Mr. Wasilewski never said I am going to  
21 punish you because of your political affiliation?

22 A That is not true. He said, I am going to punish. Nothing  
23 to do with politics. Politics weren't mentioned in that  
24 conversation at all.

25 Q And you stated Wasilewski said, I am going to punish



1 you guys.

2 A You guys, I think it is.

3 Q Who was you guys? Who was he referring to?

4 A I guess there were several drivers down there. Mr.  
5 Wasilewski was always on drivers. He was the head mechanic  
6 and he had a beef with all drivers.

7 Q It wasn't just Mr. Wzorek he singled out for telling  
8 Mr. Sommerford he would like them punished?

9 A Yes, it was. He stood out in the front of the yard in  
10 front of all the employees.

11 Q He said, I am going to punish you guys. You said Mr.  
12 Wasilewski stated that.

13 A He said, I am going to punish you guys. First of all  
14 he said, I talked to Sommerford and I want you fired. Then  
15 Gene went back, asked him, could I have the truck. Can I  
16 still have the truck. He said, no, you are going to have to  
17 wait. I am going to punish you guys down at that district.

18 Q So it wasn't just Gene he was going to punish. Isn't  
19 that true? It was everyone down at the Six District.

20 A I don't know.

21  
22 MR. WZOREK: Objection, your Honor, It is the  
23 Fifth District.

24 A I dont know what Mr. Wasilewski meant.

25 Q But he said you guys.

A He said you guys.

1 Q With respect to the fact that you have been harassed  
2 since you agreed to be a witness for Mr. Wzorek, you stated th  
3 you were unsuccessful in filing a grievance form.

4 A Yes, I was. Since I was career service and there was  
5 a procedure to follow, which I did.

6 Q You actually instituted a grievance?

7 A No, I was never given forms.

8 Q But you just stated you followed the procedure.

9 A No, I didn't say that. Well, I am sorry. Then I mis-  
10 understood. No, I never filed a grievance, but I attempted.

11 Q Why is that?

12 A I went to City Hall and attempted.

13 Q Where did you attempt to file this grievance?

14 A At City Hall and in my own district.

15 Q Sewer Department at City Hall?

16 A Sewer Department.

17 Q Did you ever file a grievance on the 11th Floor of the  
18 Department of Personnel?

19 A No, I wasn't aware that I could.

20 Q Back when this happened, were you a member of the union?

21 A Yes, unfortunately.

22 Q And yet you did not go to the union with this grievance?

23 A Yes, I did.

24 Q What was the result of that?

25 A They said they did not have a contract, written contract

1 with the City and they could not negotiate for me on my be-  
2 half. And I would have to go through the grievance procedure  
3 and I told them that it wasn't open to me, I couldn't get  
4 access to it, and they just said, well, that is your business

5 Q So the union didn't pursue it for you?

6 A No.

7 Q And you were denied the right to fill out forms you say?

8 A Yes, I was, by a guy, Young, or something. He was in  
9 charge of personnel.

10 Q Did you ever speak to anyone who would have been Mr.  
11 Young's superiors and complain that you were denied that right

12 A I requested to talk to Mr. Barnes, but it was denied.

13 Q Did you request to talk to Superintendent Sommerford?

14 A Yes, I did and that was denied.

15 Q Did you make these requests in writing?

16 A No, I made them -- I was down in City Hall. I made it  
17 to this Young, whatever. I don't know his first name. He  
18 was in charge of personnel for the Sewer Department. He  
19 denied it.

20 Q He was in charge of personnel and you asked him to speak  
21 to Commissioner Barnes?

22 A Yes, I did, and he did. He went in Mr. Barnes office.  
23 Came about 15 minutes later and said, Mr. Barnes won't see you

24 Q How do you know he went in Barnes office?

25 A Because it is right there, Barnes office.

1 Q Isn't Barnes office back in the suite of offices in the  
2 Commissioner's office?

3 A Yes, right there. That is where you sit; where you used  
4 to sit.

5 Q Did you ever take any measures to attempt to be reim-  
6 bursed for this pay you allegedly unjustly were denied?

7 A I started initiating the grievance procedure because  
8 of the money I was being docked.

9 Q But you never pursued it any further?

10 A No, I quit.

11 Q Did you receive your job at Sewers from political  
12 sponsorship?

13 A No, I didn't.

14 THE COURT: Did you have to put your ward on?

15 THE WITNESS: Pardon me?

16 THE COURT: Did you have to put your ward on?

17 THE WITNESS: Yes. I was sponsored through an  
18 alderman, but I didn't have any political -- it was through  
19 a friend that owed a favor, and a favor. But I had to use that  
20 alderman's name.

21 THE COURT: What do you mean? You didn't do any politi-  
22 cal work?

23 THE WITNESS: No, I never rang a doorbell.

24 THE COURT: But you did have a political sponsor.

25 THE WITNESS: Yes.

1 BY MS. SMITH:

2 Q Who was your sponsor?

3 A There were several alderman. You want their names?

4 Q You had more than one sponsor?

5 A They aresponsors. Yes, I guess so.

6 MR. WZOREK: If I may object to say something.

7 Mr. Goorski's brother was an im portant person. I mean, that  
8 is how --

9 THE WITNESS: No, he is in business and he dealt wit  
10 the City and --

11 THE COURT: He is talking about his clout.

12 THE WITNESS: Through my brother. I didn't ring  
13 door bells.

14 MR. WZOREK: Could he tell you what his brother  
15 does?

16 MR. EX: Objection.

17 THE COURT: No, it is not necessary.

18 BY MS. SMITH:

19 Q You stated that the ward appeared on documents. What  
20 specifically, what time period are you talking about?

21 A All four years I worked for the City. I have always had  
22 to put my ward down.

23 Q On what documents did you have to put those down on?

24 A Well, after the original employment, it was on the rating  
25 card. That isthe only document I would have to sign every year

1 Q For the years 1982 to 1986, your ward appeared on the  
2 rating card?

3 A I can't say they appeared on them, but I know I had to  
4 write them down on it.

5 Q I dont understand the difference.

6 A Ward number. Write down 47th Ward.

7 Q And that would be from 1982 to 1986?

8 A Be as long as I worked with the City.

9 Q Was that ward number indicated on there when you signed  
10 your ratingform, or was it already on there when you got the  
11 form?

12 A I can't recall. Your ward was a very -- your ward  
13 number was very important.

14 Q There is no question pending.

15 A Oh.

16 Q So you appeared from the 47th Ward. Isn't that Ed  
17 Kelly's ward?

18 A I don't know.

19 Q You don't know who your alderman was?

20 A I don't know who my alderman is now. I live there now.

21 Q We are talking about back when you were employed by  
22 the City.

23 A No, I don't know. Ed Kelly, I guess.

24 Q I am asking you.

25 A I don't know.

1 MS. SMITH: I have nothing further of Mr. Goorski.

2 THE COURT: Redirect examination?

3 REDIRECT EXAMINATION

4 BY MR. WZOREK:

5 Q Mr. Goorski, when you got your job through clout, it was  
6 through your brother, was it not?

7 A Yes.

8 Q Is your brother -- your brother knew the people, not  
9 you.

10 A Yes.

11 Q So that was why you said you didn't know what ward you  
12 were from.

13 A Well, I never followed the politics.

14 THE COURT: Excuse me, just a second. Ma'am was  
15 that your beeper I just heard in the back? What was that bee?

16 MR. WZOREK: I don't know.

17 THE COURT: You didn't hear it? Nobody heard it.

18 Okay.

19 BY MR. WZOREK:

20 Q So in other words, you were really not affiliated with  
21 politics.

22 A No.

23 Q It was just a favor. And back at the lawsuit I was  
24 supposed to be a witness. would you like to relate the circum  
25 stances on that, the situation. Wasn't it that you were just

1 coming to my house to appraise a job for me?

2 A Yes. I did some work for Mr. Wzorek and that was an  
3 auto accident a way back.

4 Q So that was the situation we were talking about. Because  
5 he was by my house and he was appraising the job, and I would  
6 have to testify that he came there.

7 A Mr. Wzorek was subpoenaed.

8 Q That he was doing a job by me, or appraising a job by me

9 A Which was after your termination with the City.

10 MR. EX: Your Honor, I object to colloquy here.

11 THE COURT: Well, it wasn't done very artfully as a  
12 lawyer would do it.

13 MR. WZOREK: It was a bad question.

14 THE WITNESS: It works.

15 THE COURT: I will tell you what. You are supposed  
16 to testify, not him. So if you want to say what he said, you  
17 say it.

18 MR. WZOREK: I am supposed to ask questions. It is  
19 my fault for not asking the right way.

20 THE COURT: Ask him.

21 BY MR. WZOREK:

22 Q Were you coming to my house that day for a reason? What  
23 was the reason?

24 MS. SMITH: I am going to object. I don't think it  
25 has any relevance here.



1 THE COURT: You asked him if he was going to be a  
2 witness on a case he had against the City, and he is going to  
3 explain why. You may explain.

4 THE WITNESS: Well, I went over. Mr. Wzorek had the  
5 gutter problem, and he had tuck pointing to be done, and I  
6 just terminated with the City, and I was into carpentry.  
7 So Mr. Wzorek asked me to come down and give him a price,  
8 give him a bid on the job.

9 THE COURT: And an accident happened?

10 THE WITNESS: Accident happened on the way home.

11 THE COURT: And that tied in somehow with Mr. Wzorek  
12 and the City?

13 A. No. In the accident there was other --

14 THE COURT: City vehicles?

15 THE WITNESS: Yes.

16 THE COURT : So you were bringing an action against  
17 the City and he was going to testify on that action?

18 THE WITNESS: Stating I was at his home.

19 MR. WZOREK: Just that he was by my house.

20 THE COURT: All right, keep going.

21 BY MR. WZOREK:

22 Q What I was going to state to you is like on most of the,  
23 like any kind of stuff you got from the City, like your ratings:  
24 or anything, like you were trying to tell her, and I know it  
25 is nerve wracking up there, it is nerve wracking to me. So

1 So the ward is usually on there.

2 A It seems it's always on there.

3 MS. SMITH: Objection as to what documents they are  
4 talking about. The ward is always on there.

5 MR. WZOREK: Your HONor, when your personnel slips,  
6 almost anything you have, even personal cards, your ward is  
7 always on there.

8 MS. SMITH: Objection to Mr. Wzorek testifying.

9 THE COURT: No, don't testify.

10 MR. WZOREK: Must be getting late in the day and I  
11 have had it as a lawyer Okay.

12 THE COURT: You are doing all right.

13 MR. WZOREK: Well, in other words, when you get any  
14 kind of document from the City that you are supposed to sign,  
15 is it not true that the wards are usually on there?

16 A Yes, except insurance papers, or something like that.

17 MR.EX: Objection. It is almost every other  
18 document.

19 THE COURT: Overruled.

20 MR. WZOREK: That would be it.

21 THE COURT: Recross examination?

22 MS. SMITH: I just have one question.

23 RECCROSS EXAMINATION

24 BY MS. SMITH:

25 Q Isn't it true the lawsuit against the City was a case of

1 excessive force against the police department.

2 A It was the police brutality and I won that case.

3 MR. WZOREK: Objection to that now. Objection to  
4 the point that I was just testifying what I was supposed to  
5 say. What happened with him after that is irrelevant to my  
6 case.

7 THE COURT: She is trying to show motive. That is  
8 all right.

9 MS. SMITH: I am bringing it up because he said it  
10 was a case involving the City vehicle.

11 THE COURT: Objection overruled.

12 THE WITNESS: It was.

13 BY MS. SMITH:

14 Q But more so it was a case involving brutality charges  
15 brought by you against the City police department.

16 A The Judge --

17 Q Yes or no, Mr. Goorski

18 A The Judge asked me if Chicago vehicles were involved and  
19 I said yes. That was the question.

20 Q Okay. And isn't it true that case was settled out of court

21 A Yes.

22 Q And never went to trial.

23 A I received a settlement, right.

24 MS. SMITH: That is all I have.

25 THE COURT: Thank you. You may step down.

1 (Witness excused.)

2 THE COURT: You may call your next witness.

3 MR. WZOREK: Call Mr. John Lucille.

4 THE COURT: We will take a five minute recess.

5 (Short recess.)

6 THE COURT: You may call your next witness.

7 MR. WZOREK: Call Mr. John Lucille.

8 JOHN LUCILLE PLAINTIFF'S WITNESS SWORN

9 MR. WZOREK: At least I'm trying. I don't know if  
10 I'm doing any good.

11 THE COURT: You are doing all right. Ask Ms. Smith.

12 MR. WZOREK: I just don't want to embarrass anyone.

13 BY MR. WZOREK: DIRECT EXAMINATION

14 Q Will you state your name, sir.

15 A John Lucille.

16 MR. EX: Your Honor, I am very sorry to interrupt,  
17 but I have to report something I feel I have an obligation to  
18 put on the record.

19 Mr. Sommerford, who is a witness that was requested  
20 by Mr. Wzorek, is sitting outside. It has been brought to my  
21 attention that a series of harassing and threatening comments  
22 have been made to him by Mr. Goorski.

23 MR. WZOREK: I wasn't out there, your Honor.

24 MR. EX: Very improper, and I would move to exclude  
25 Mr. Goorski from the courtroom and from this floor.

1 THE COURT: Well, he was excused.

2 MR. WZOREK: Yes, he can go.

3 THE COURT: As a witness, but I can't take just a  
4 bare allegation like that. Do you want to have a hearing  
5 on it ? I will be glad to. Did you hear it, sir?

6 MR. EX: I did not personally hear it. He just  
7 reported to me. I believe, Mary, did you hear?

8 MS. SMITH: We were in the courtroom, your Honor.  
9 Mr. Goorski finished testifying. He left the courtroom, saw  
10 Mr. Sommerford sitting outside the courtroom and then made  
11 the comment to him that he made.

12 THE COURT: Mr. Sommerford, what comments did  
13 he made?

14 MR. WZOREK: He is not here.

15 MR. EX: He is sitting outside.

16 THE COURT: Bring him in.

17 MR. WZOREK: I wasn't out there. I don't know.

18 THE COURT: Don't worry about it. Bring Mr.  
19 Sommerford up to the lectern . I would like to speak to him,  
20 and you, Mr. Ex.

21 Mr. Sommerford, Mr.Ex says that some comment was  
22 made to you that you didn't like. Tell me what was said.

23 MR. SOMMERFORD: Yes. A gentleman came out there  
24 and called me a dog, you ugly sonofabitch.

25 THE COURT: Called you a what?

1 MR. GOORSKI: Your Honor --

2 THE COURT: Jst a minute. Called you a what?

3 MR. SOMMERFORD: A dog, ugly sonofabitch.

4 THE COURT: Is that it?

5 MR. SOMMERFORD: And he came out there the last  
6 time, and the first time I came in here, I never seen him  
7 to know him, he said, you no good sonofabitch. This gentleman  
8 here.

9 THE COURT: Anything else?

10 MR. SOMMERFORD: That's all he said.

11 THE COURT: Thank you, sir. You may be excused.

12 Mr. Goorski, you want to say anything?

13 MR. GOORSKI: Your Honor, I don't even know this was  
14 Mr. Sommerford. I never met him before.

15 MS. SMITH: If you recall Mr. Goorski's testimony  
16 he was present at the conversation with Mr. Sommerford.

17 MR. GOORSKI: He had more hair.

18 MS. SMITH: Mr. Goorski made a slashing gesture  
19 across his throat. Obviously if he can testify to a conver-  
20 sation with Mr. Sommerford and statements that Mr. Sommerford  
21 made back in 1982, he certainly knows this man.

22 MR. GOORSKI: That is six years later.

23 MR. WZOREK: I object to this.

24 THE COURT: Be quiet everybody. Thank you, Mr.  
25 Sommerford. You are excused.

1 THE COURT: Mr. Goorski, you are now under instruc-  
2 tions, I am not even going to inquire about anything else,  
3 not to communicate with anybody at all.

4 Is there any possibility Mr. Goorski is going to be  
5 recalled as a witness in this case?

6 MR. WZOREK: Not that I know of.

7 THE COURT: If there is, we probably shouldn't have  
8 him here in the courtroom. Can I suggest to you, Mr. Goorski,  
9 we won't need you more today, and it might be a good idea  
10 since that fellow is so irate, you might absent yourself, and  
11 then you can call Mr. Wzorek tonight and see if he needs you  
12 tomorrow.

13 MR. GOORSKI: All right. Thank you, your Honor.

14 THE COURT: But don't discuss your testimony with  
15 anybody. Thank you.

16 MR. WZOREK: I forgot where I was.

17 THE COURT: Help like that you don't need, Mr. Wzorek.

18 BY MR. WZOREK:

19 Q Your address, sir?

20 A 25 North Bishop.

21 Q Do you work now?

22 A Part time.

23 Q What is that job?

24 A Work for Sheriff O'Grady part time.

25 Q Have you ever worked for the Sewer Department?

1 A Yes.

2 Q From what year to what year?

3 A About 1965, I think, to 1984. June 29 was what they  
4 had down.

5 Q What was your title in 1984?

6 A I was District Foreman in the Cleaning Division.

7 Q Do you know Eugene Wzorek?

8 A Yes, I do.

9 Q Do you recall any meeting you had related to the pro-  
10 bationary period from January to June, 1984, with Commissioner  
11 Barnes?

12 A Yes. At the earlier part, right after was passed in the  
13 City Council, Barnes called all the supervisors down to a  
14 meeting.

15 Q Do you recall what was said at that meeting?

16 A Yes. He said that he wasn't going to make 800 career  
17 service personnel and he said it three different times, and  
18 he hit the table three different times like that. That is  
19 when I knew he meant what he was saying. He wasn't going to  
20 make 800 career service personnel, and I knew some men was  
21 in trouble.

22 Q You mean that was said before the probation --

23 A Before it even started.

24 Q Okay. Do you remember who was present at the meeting?

25 A I made an affidavit out for, a list of 21 supervisors



1 who was at the meeting, and we gave it to the City, and  
2 that is the last I ever seen of that list.

3 Q Do you remember giving any orders during the probation  
4 directly from Barnes on how to handle this probation?

5 A Well, Barnes told us to go out there and write them up.  
6 He told us if we didn't write them up he was going to write u  
7 up and get rid of us.

8 Q Was there a rating system during the period?

9 A There wa a rating system. It was supposed to be two  
10 ratings, one at the end of January, and another one -- at the  
11 end of March and another one at the end of June. Two ratings.

12 Q Did you rate people?

13 A At the end of March, the first rating, I did.

14 Q What did this rating card or slip look like?

15 A It was a piece of paper. It wasn't a full piece of paper  
16 Maybe three quarters full and had the ward right on top. By  
17 each rating slip there was a ward. Whatever ward you was  
18 from the ward was right there on top.

19 Q Did you rate Eugene Wzorek on his first one?

20 A Yes, I did.

21 Q What was his rating?

22 A Eugene Wzorek had an 85.

23 Q Would you consider that a good rating?

24 A Yes, because if you rated someone over 85 you had to  
25 write a letter and most people didn't write letters. They

1 just, if a man was good, they gave him 85.

2 Q How was Eugene Wzorek as an employee?

3 A Never had no problem. He always went to location, did  
4 what he was supposed to do. When I checked him he was always  
5 out there.

6 Q Did you write anybody up during this probation period?

7 A One person.

8 Q Would you relate why you wrote this man up.

9 A He was causing confusion inside the office so I wrote him  
10 up. Everybody was on their P's and Q's during probation.  
11 Every time you drive up they was doing what they supposed to  
12 be doing because I told them at the beginning if I caught  
13 them doing anything I was going to write them up.

14 Q To your knowledge, do you know who fired the men in the  
15 Sewer Cleaning Department?

16 A In my department, William Sommerford. In my deposition --  
17 in William Sommerford's deposition, he said --

18 MR. EX: Objection as to what Mr. Sommerford said  
19 in his deposition.

20 THE COURT: Sustained. Mr. Sommerford's deposition  
21 will speak for itself. Let us see what the witness has to  
22 say about what he knows.

23 Q Do you have any knowledge?

24 A Knowledge of Sommerford --

25 Q What you were just stating.

1 A Well, I read some of the deposition.

2 MR. EX: Objection.

3 THE COURT: No, not Sommerford's deposition. If  
4 you heard Sommerford say something you can testify about it.

5 A Oh. He asked me right before the probation was over  
6 when I went down that Wednesday, I forgot, I think it was in  
7 June, near the end of June, if there was anybody I wanted to  
8 get rid of. And I told him no, I didn't have nobody I want  
9 to get rid of.

10 Q He was just ask you out of the clear blue sky?

11 A Right. I was going with the payroll, and I passed by  
12 passed by his desk and he called me. He said, Lucille. I  
13 said, what do you want? He said, is there anybody you want  
14 to get rid of. I said no.

15 Q He didn't ask you if there was anybody bad, doing things  
16 wrong.

17 A No, he just asked me if there was anybody I want to get  
18 rid of.

19 Q Did he make any further comments on what anybody can do  
20 about them getting fired or anything like that?

21 A Not at that particular conversation right then he didn't  
22 make no comment then pertaining to anything else.

23 Q Did you, as a supervisor --

24 A He made comments later on. I mean, earlier he made  
25 comments.

1 Q What were those comments?

2 A But the comment was about the 27th Ward. He told me  
3 that Harold Washington and Commissioner Barnes was going to  
4 get rid of most of the people from the 27th Ward.

5 MR.EX: Objection. Hearsay.

6 THE COURT: Overruled.

7 MR. EX: Also on the grounds of relevance.

8 THE COURT: Overruled.

9 Q Okay. On this part did you see a list of people who  
10 were fired?

11 A No, I didn't see a list of people who was fired. He  
12 say he saw the list. I didn't see the list at that particular  
13 time.

14 Q What I am referring to, now after you are fired, did you  
15 see a list from lawyers on the people who were terminated?

16 A Yes, I did.

17 Q Would you say out of all the people that were terminated,  
18 how many were from wards opposing Harold Washington in the  
19 primary?

20 MS. SMITH: Objection as to foundation, your Honor.

21 THE COURT: Sustained. You have to lay a foundation  
22 that he knows something about the wards that supported Wash-  
23 ington and didn't support Washington, and then whether or not  
24 he could tell.

25 A The 27th Ward alone had 29 people out of 57 people from

1 the 27th Ward, that was fired.

2 Q Who did the 27th Ward back in the primary?

3 A. Backed Jane Byrne.

4 Q Are you familiar with all the other wards and who voted  
5 for what?

6 A All the north side wards went against Washington, all  
7 the southwest side wards went against Washington.

8 MR. EX: Objection. Foundation.

9 THE WITNESS: It is a fact.

10 MR. EX: He is stating a generalization and no  
11 foundation to support that generalization.

12 MR. WZOREK: We will come back to that.

13 MR. EX: I move to strike any past testimony.

14 THE COURT: No. I think it is his effort to put on  
15 what he thinks he knows. Actually he is a little wrong.  
16 There were Lakeshore wards that went for Washington, north  
17 side. Couple over in the northwest that had committeemen  
18 that were backing Washington, but generally speaking, he is  
19 right. If you can be more particular it would be useful.

20 BY MR. WZOREK:

21 Q Even though there were many black workers fired, they  
22 were not necessarily Washington people.

23 A. No, they wasn't because --

24 MS. SMITH: Objection as to what workers he is  
25 referring to.

1 MR. WZOREK: The ones that were fired.

2 THE COURT: On the list he said.

3 MS. SMITH: The list doesn't designate who is black  
4 and who is white.

5 THE COURT: No foundation.

6 MS. SMITH: That's right.

7 THE COURT: That is fair. Objection sustained on that

8 MR. EX: Your Honor, if I could just state, it seems  
9 like the witness seems to have a series of documents in his  
10 hand he seems to be referring to.

11 THE COURT: -I didn't see him looking at documents,  
12 but if he is, it should be made a matter of record.

13 MR. EX: It looked like he was glancing down from  
14 here.

15 BY MR. WZOREK:

16 Q. Do you know anything about ward cards?

17 A. Yes, I do. If someone got transferred to your district  
18 the first thing you do is give him a ward card and let him  
19 fill it out.

20 MS. SMITH: Objection as to time frame.

21 Q. During theprobationary period.

22 A. Here is a sample of the ward card.

23 Q. During the probationary period.

24 THE COURT: Do those have dates?

25 THE WITNESS: Doesn't have dates on them.

1 THE COURT: Do you know when they were made out?

2 THE WITNESS: We made them out any time. We were  
3 never told to stop making them out.

4 THE COURT: You always had them?

5 THE WITNESS: We always had them even after the  
6 new administration of Harold Washington came in. No one ever  
7 told us to throw them out so we always did it. If a laborer  
8 got transferred to me, the first thing they did they fill  
9 out a ward card, and they was upgraded, and downtown the  
10 main office they had a major list of all the districts, and  
11 that is how they could tell what ward everybody was from.

12 MR. WZOREK: We would like to put that in evidence,  
13 the ward cards.

14 MR. EX: We still would like to move to strike that  
15 testimony on the grounds it still lacks foundation.

16 THE COURT: No, it doesn't lack foundation. He was  
17 the one who was doing it.

18 MR. EX: Lacks foundation, I believe, as to the  
19 time frame.

20 THE COURT: No, he said during all the time he was  
21 there. When did you start?

22 THE WITNESS: I started in 1965.

23 THE COURT: When did you finish?

24 THE WITNESS: 1984.

25 THE COURT: Did you -- you did it the whole time?

1 THE WITNESS: The whole time the ward card was  
2 kept up to date.

3 THE COURT: These are samples?

4 THE WITNESS: Samples.

5 MS. SMITH: Your Honor, we would object to the  
6 admission into evidence of those documents.

7 They don't refer to Mr. Lucille, or  
8 Mr. Wzorek. We don't know who those people are in fact.  
9 We don't know when they were filled out.

10 THE COURT: No, but receive the form which has a  
11 place for district and ward and precinct in it. So it will  
12 be admitted. Make it No. 10.

13 (Plaintiff Exhibit No. 10, was received in  
14 evidence.)

15 BY MR. WZOREK:

16 Q I would like to ask you, do you know if Mr. Sommerford  
17 is politically affiliated with any ward?

18 A He told me before I left, I think in June, as a matter  
19 of fact he told me he was assistant precinct captain in  
20 the First Ward. He gave me his card.

21 MR. WZOREK: I would like to place that in evidence.

22 MS. SMITH: Objection as to time frame.

23 THE COURT: When did he give this to you?

24 THE WITNESS: In June of 1984 before I got fired.

25 THE COURT: Mark this No. 11. It is admitted.



(Plaintiff's Exhibit No. 11, was received in evidence.)

BY MR. WZOREK:

Q Do you know if Mr. Sommerford was affiliated with any other ward besides the First Ward?

A Yes, he did tell me he did some work in the Fourth Ward too.

Q That would be Timothy Evans ward.

A Yes. He had two precincts, one in the First Ward and one in the Fourth Ward.

Q Could you tell me who Timothy Evans backed in the primary, or election for mayor in 1983?

A Mayor Washington.

MS. SMITH: Objection as to foundation.

THE COURT: I will take judicial notice of that.

Mr. Evans has been going all over the city the last six months saying Harold Washington was his saint. No, the objection is overruled. If you are going to have an objection let us have one that makes a difference.

BY MR. WZOREK:

Q You said Mr. Sommerford was active in the First Ward too?

A Yes.

Q Are you a member of that First Ward?

A Yes.

Q Do you remember who the First Ward backed in the '83

1 election?

2 A Well, in '83 I wasn't a member of the First Ward then.

3 In '83 I was a member of the 27th Ward.

4 Q Do you have any knowledge of who they backed?

5 A The First Ward?

6 Q First Ward.

7 A They backed Jane Byrne.

8 Q Do you know what an exit interview is?

9 A Yes.

10 Q Have you ever given an exit interview?

11 A Yes, I did. I gave two out.

12 Q Two exit interviews? Do you have any knowledge how they  
13 told you to give these exit interviews, or did they give you  
14 memorandum how to do this?

15 A Yes, they gave me memorandum. The one I end up giving  
16 you. They told us to bring in the individual sit him down,  
17 and go over what he had did, what have you, why he was being  
18 released. Get all the city equipment from him and then you  
19 you get him to sign a C-9. He has to sign a C-9 too. Maybe  
20 he don't want to sign the exit but he has to sign the C-9  
21 showing he was there.

22 THE COURT: What is a C-9?

23 THE WITNESS: C-9 is something like the payroll  
24 checks come out on. So they told us to have them sign a C-9.  
25 That shows they had the exit interview.

1 Q When you say by we were told, who do you mean was told  
2 to give the exit interview

3 A Only the bosses can give an exit interview. Only the  
4 foremen, the bosses.

5 Q You mean in otherwords, the district foreman?

6 A District foreman or superintendent.

7 MR. EX: Objection. On grounds of hearsay, and  
8 also we don't know who he is referring to. "They told him  
9 that."

10 MR. WZOREK: The witness is referring to the  
11 memorandum.

12 BY MR. WZOREK:

13 Q Who did the memorandum come from?

14 A Come from the Commissioner. Commission gave them out.

15 THE COURT: That being Barnes?

16 THE WITNESS: It was Quigley. He was Commissioner  
17 when they first came out, but it was gone over into '84.  
18 Washington was the Mayor when it was given out.

19 Q The exit interview was never taken out?

20 A It was never taken out.

21 Q So every employee was entitled to an exit interview.

22 A Everyone was supposed to have one. Matter of fact, they  
23 told us very important to make sure you give them an exit  
24 interview and take all the city equipment away from them.  
25 As a matter of fact, I still got all my city equipment.

1 Q Do you have any knowledge who Bernard Young is?

2 A Yes, he was a laborer in the timekeeping department.

3 Q And would Bernard Young in his title of timekeeper, or  
4 acting, or laborer, have the right to give these exit inter-  
5 views?

6 A No laborer can't give no exit interview out.

7 Q Do you know any other specific reasons about Mr.  
8 Sommerford's affiliation or if he signed any firing notices?

9 A Yes. Like I say, I seen the firing notices but that  
10 was later on. I didn't know at the time when I was working  
11 that he actually had did it because as a matter of fact, he  
12 was telling everybody he didn't know why anyone was fired.

13 Q In your capacity, if a person is being fired he must  
14 be fired totally by the Commissioner?

15 A Only the Commissioner can fire you. The code states onl  
16 the Commissioner can fire you.

17 Q If I may ask you this question, being the supervisor,  
18 what would Mr. Sommerford's name be doing on a firing slip?

19 A The City used the wrong form. It should have one name  
20 only, that is the Commissioner. They used the wrong form  
21 for the firing.

22 MS. SMITH: Objection to Mr. Lucille's foundatin  
23 as to his knowledge that the City used the wrong form.

24 THE WITNESS: Well, you had the form there with  
25 Sommerford's name on and the Commissioner, and the City

1 Corporation Counsel said that Mr. Sommerford had authority to  
2 fire no one.

3 MR. EX: Objection. Hearsay.

4 THE WITNESS: I can show you the document where the  
5 Corporation Counsel said Mr. Sommerford does not have authori  
6 to fire no one, but his name appears on the firing slip.

7 MR. EX: Same objection.

8 THE COURT: No. Look, counsel, let me tell you  
9 something. If he can show me that document I am going to  
10 hold you in contempt of Court for making the objection.

11 because you are with the Corporation Counsel's office and  
12 you know whether it is true or not true. If it is true then  
13 you have no business making this kind of objection.

14 BY MR. WZOREK:

15 Q Can you show that document?

16 THE COURT: In fact, you should stipulate to it to  
17 save me the time of going through all this, which apparently  
18 you have decided to make me do anyway.

19 THE WITNESS: It is in my grip there.

20 MR. EX: We will stipulate to it, your Honor.

21 THE COURT: He stipulated to it.

22 MR. WZOREK: That means its there?

23 THE COURT: That means it is there.

24 BY MR. WZOREK:

25 Q In other words, if another man was on the firing slip

1 along with Mr. Barnes, then he would have fired you too.

2 A Right. That would make it no good completely. How can  
3 a superintendent who has no authority to fire nobody, name  
4 be on the slip. They should have only one name on there and  
5 that was the Commissioner only.

6 Q Like I'm referring to, it means in other words, both men  
7 fired you.

8 A That's what it says, both men fired you because both  
9 names are down there and one of them didn't have authority  
10 to because the Corporation Counsel said he couldn't fire nobod

11 Q And as supervisor, were you ever given a letter or memora  
12 dum on May 3, stating there was a change in the rules?

13 A It was never came out, nothing came out, no May 3, up  
14 until, until June 29, 1984. Nothing was ever at any of the  
15 meetings I went to about a May 3. We was all thinking about  
16 the second rating that was coming up. Nothing was ever said  
17 at any meeting about May 3.

18 Q So you were rating your employees still according to the  
19 first memorandum on January 10.

20 A Right. The one that says two ratings.

21 MR. WZOREK: I guess that is it.

22 THE COURT: Cross examine.

23 CROSS EXAMINATION

24 BY MR. EX:

25 Q Mr. Lucille, you stated previously that you were

1 terminated with the City on June 29, 1984, is that correct?

2 A No. It was actually -- I wasn't there that day. I  
3 went there for two hours and I called Sommerford up and told  
4 him I had to go to a funeral, and so I left, I punched the  
5 time card at nine o'clock. I started at seven. I punched out  
6 at nine o'clock. I went to the funeral and then after the  
7 funeral was over it was too late to go back to work so I went  
8 home that day.

9 Q Isn't it a fact that at the time of the end of that  
10 probationary career service period in 1984, you were discharged  
11 by the City?

12 A No, it was after the end of it. Before I actually got  
13 official word it was on the fifth of July.

14 Q But you did receive word that you were terminated  
15 pursuant to the --

16 A Not by no official. I received word from a couple of  
17 laborers who called me and said they heard I was discharged.

18 Q You never received a letter from the City?

19 A No. No, I never received one. On the 29th I wasn't  
20 there. I left at nine o'clock in the morning.

21 Q My question was not whether you received it on the 29th,  
22 but whether you received a letter at all from the City saying  
23 you were terminated.

24 A On the fifth of July a letter came in.

25 Q And isn't it true that the reason stated by the City for

1 your termination, was for poor work performance?

2 A No. They changed charges.

3 Q The City never stated to you that the reason you were  
4 terminated was for poor work performance?

5 A The letter that came on the fifth did not say anything  
6 about poor performance. They changed charges later on. That  
7 came later on.

8 Q My question is, at any time did you come to learn the  
9 City stated that the reason for your termination was poor  
10 performance?

11 A It was about six months later when I got the firing  
12 notice. When I got the list of all the people who were  
13 fired then I see on there they had poor performance, but the  
14 letter I got from the City did not state anything about --

15 Q I take it your answer to my question is yes, you did come  
16 to learn?

17 A About six months after later on I found out they put down  
18 poor performance.

19 Q Mr. Lucille, isn't it a fact that you have also filed a  
20 lawsuit against the city?

21 A Yes.

22 Q And isn't it also a fact that the subject of your lawsuit  
23 is a claim saying you were discharged for political reasons?

24 A Yes.

25 Q Mr. Lucille, isn't it also a fact that part of your



1 allegations in that lawsuit are that at all times you  
2 supported Jane Byrne?

3 A I did support Jane Byrne.

4 Q My question is though, isn't it one of the allegations  
5 in your complaint that at all times you supported Jane Byrne?

6 A I supported Jane Byrne in the primary. In the general  
7 election I supported Harold Washington.

8 Q Isn't it also a fact you knocked on doors for Harold  
9 Washington?

10 A In the general election I did.

11 Q Isn't it also a fact that you were glad and proud to  
12 work for Harold Washington?

13 A Yes, because I thought he meant what he said. He said  
14 no more politics, but it was just the opposite. He went in  
15 the back room and --

16 Q Excuse me. Isn't it also a fact that you never hid the  
17 fact that you supported Harold Washington?

18 A No. You can't hide it.

19 THE COURT: What was the answer?

20 THE WITNESS: You can't hide the fact that you  
21 supported the Mayor of the City who you are working for  
22 because he signs the pay checks. You can't go there and say  
23 you dislike a man and he signs your pay checks.

24 Q Isn't it a fact you actually told others that you  
25 supported Harold Washington?

1 A I told them I supported him in the general election

2 Q Isn't it also a fact that you supported, or attended  
3 Harold Washington fund raisers?

4 A I was forced to buy a ticket for Harold Washington affair  
5 I didn't want to buy it. It was \$150.

6 Q With regard to your testimony about the ward cards that  
7 you had indicated you had filled out, isn't it true that the  
8 ward cards were filled out under Commissioner Quigley, who  
9 last worked for the Byrne administration?

10 A Yes, but no one told us don't stop. So we kept right on  
11 doing it during the Harold Washington administration.

12 Q Isn't it true, isn't it a fact you have never seen any  
13 of these ward cards since Harold Washington was elected?

14 A They was right there in my office.

15 Q You are saying you have seen the ward cards since Harold  
16 Washington was elected?

17 A In 1984 when I left, the ward cards was right there in  
18 my office. They was kept up to date by the clerk.

19 Q Isn't it a fact Mr. Lucille, that in a lawsuit titled  
20 McGowan versus the City of Chicago, 84 C 10476, on July 12,  
21 of 1985 you gave a deposition?

22 A Yes.

23 Q Is it correct, sir, that you were given the following  
24 questions and gave the following answers.

25 °Q Isn't it correct that the last time you filled

1 "out these ward cards was before Harold Washington was  
2 elected?

3 A I think we filled one pertaining to something.  
4 I'm not sure. I can't recall it, but I think something  
5 else went in with the ward and the precinct. I am not  
6 sure.

7 Q So it is your present testimony that you are not  
8 sure whether these cards that showed the ward were filled  
9 out after Harold Washington was elected. Correct?

10 A Correct. I am not sure. I think something was  
11 filled out with the ward and precinct but I can't say  
12 100 percent. But like I say, the records are downtown there.

13 Q You have never gone downtown and actually looked  
14 at what records were destroyed or maintained? Correct?

15 A You don't go down there and do that.

16 Q So any cards that may have been filled out prior  
17 to the election of Harold Washington, you do not know  
18 whether they were in existence because you have not gone  
19 down there and observed them yourself. Correct?

20 A Correct."

21 A That is not all the way right because I don't remember  
22 saying exactly--

23 Did you give those --

24 A I gave those -- wait a minute.

25 Q That is all I asked. I have no other questions.

1 MR. WZOREK: Objection about that one. He is re-  
2 ferring to the ward cards, not downtown. He is referring to  
3 them in his office.

4 THE COURT: Excuse me, Mr. Wzorek. That is argument.  
5 I picked that up already but you have to put that in in your  
6 rebuttal, in your redirect examination. You see, he has got  
7 a right to ask the questions he wants on cross. You can't  
8 testify, so to speak, in your objection. So keep your  
9 objections down to what is relevant. That means what has to  
10 do with the case, and what is good evidence. In other words,  
11 you know what hearsay is already. You have figured it out.  
12 You don't know exactly, but most lawyers I meet don't either.

13 I am sorry. Go ahead, Mr. Ex.

14 BY MR. EX:

15 Q Mr. Lucille, isn't it true that you obtained your job  
16 through the political patronage system?

17 A Yes.

18 Q And E ard Quigley was your sponsor and gave you your  
19 job?

20 A That's right.

21 Q Mr. Lucille, you had just spoken in your direct testimony  
22 about a meeting that you were present at with Commissioner  
23 Barnes.

24 A Right.

25 Q And you had said something to the effect that three

1 times he, Barnes, said that he wasn't going to make 800  
2 career service personnel.

3 A That's correct.

4 Q Isn't it true that at that meeting Commissioner Barnes  
5 never limited that instruction to write up disciplinary  
6 reports against any particular class of person? Isn't that  
7 correct?

8 A No, he told us to go out and find something.

9 Q My question is not whether he told you to go out and  
10 find something, some disciplinary infraction. My question is,  
11 isn't it a fact that he never told you to look for a particu-  
12 lar class of people to write up?

13 A No. He didn't tell us look for any class of people to  
14 write up.

15 Q Isn't it also true that Commissioner Barnes during that  
16 meeting never said he wanted the employees written up for  
17 political reasons?

18 A No, he never said for political reasons.

19 Q That is all I wanted to know. Thank you. Is it true  
20 that you lived in the 27th Ward while you were employed with  
21 the City or just prior to your termination?

22 A Except for one year.

23 Q So just prior to your termination you were in the 27th  
24 Ward.

25 A Right.

1 Q Is it your testimony that the 27th Ward was targeted by  
2 Commissioner Barnes for discharge?

3 A That is what Superintendent Sommerford told me that  
4 Mayor Washington and Commissioner Barnes was going to get rid  
5 of most of the people from the 27th Ward. I didn't believe h

6 Q So your answer is yes.

7 A Yes. I didnt believe him when he told me until two  
8 weeks later when 29 out of 57 people were fired.

9 Q Mr. Lucille, do you know whether or not anybody from th  
10 27thWard did make career service?

11 A Sure, there was some that made it.

12 Q Do you have any idea what the number were of the people  
13 who made career service?

14 A You have about, around -- they got a list there but it  
15 is not complete correct. Some people was already career  
16 service.

17 Q My only question is, if you know

18 A Yes.

19 Q Do you know how many career service people from the 27th  
20 Ward in fact survived probationary period.

21 A Yes, but the list is not correct is what I am trying to  
22 say.

23 Q My question is what is your understanding?

24 A It must have been about 35, I think. Something like that.  
25 I never counted them but I figure somewhere around 35.

1 Q What was your past testimony? I believe somewhere in  
2 the numbers of the 20s you said .

3 A 29 out of 57.

4 Q But yet 37 now you are saying from the 27th Ward in  
5 fact did survive the probationary period.

6 A Yes.

7 Q In fact, more than were laid off, according to your  
8 figures, if we were to accept them as correct.

9 A Right.

10 Q That is all I wanted to find out.

11 THE COURT: Excuse me. Whose hat and coat is that?

12 MR. EX: That is Mr. Sommerford's, your Honor. He  
13 left it there when he walked in.

14 THE COURT: There is a coat rack there. If he is  
15 cold out there he may want it. It is kind of chilly.

16 VY MR. EX:

17 Q Mr. Lucille, isn't it a fact that no one from the City  
18 of Chicago ever told you you were fired for political reasons?

19 A No one --

20 Q No one ever made that direct statement to you.

21 A No one never made --

22 THE COURT: Just a minute. He doesn't have a lawyer  
23 Mr. Wzorek doesn't have a lawyer. You are asking an improper  
24 question, in my opinion, that realtes to another lawsuit that  
25 he has got going on. Whether he was fired for political

1 reasons is not at issue here. You are asking questions that  
2 go into his lawsuit and I don't think that is proper.

3 MR. EX: You are absolutely correct and the reason  
4 I was going to do that was to try and build up to the next  
5 question, which was whether or not, if he can establish  
6 whether or not one way or the other, anybody ever told him  
7 whether or not it was political reasons he was discharged.  
8 Follow up question was did anybody tell him that about Eugene  
9 Wzorek.

10 THE COURT: Those are two different questions. One  
11 is not relevant, the other is. You can ask the other one.

12 BY MR. EX:

13 Q Well, isn't it a fact, sir, no one ever told you, no  
14 one from the City of Chicago, ever told you that Eugene Wzorek  
15 was fired for political reasons?

16 A. No.

17 THE COURT: No, what?

18 THE WITNESS: No official, no official ever told  
19 me he was fired for political reasons.

20 BY MR. EX:

21 Q Mr. Lucille, you stated on your direct examination that  
22 it was important to have an exit interview.

23 A. Yes.

24 Q What is your understanding of the importance of having  
25 that exit interview?



1 A Well, they said something connected with your unemploy-  
2 ment, it would be hard getting your unemployment without the  
3 exit interview, and always make it clear that they must have  
4 an exit interview. Thatway you can make sure you don't fire  
5 a person for some reason that is not supposed to be because  
6 without an exit interview you go away with your equipment.  
7 I still got my pager at home. If somebody gave me an exit  
8 interview they would have had my pager, my helmet, my I. D.  
9 card. I had my city radio for about three months. Finally,  
10 I took it in myself.

11 Q I understand that but my question was what was the  
12 purpose of the exit interview? Whether or not you have the  
13 equipment doesn't relate to my question.

14 A You are not supposed to take your city equipment away.

15 Q Mr. Lucille, that is not my question about city equipment.  
16 I just --

17 MR. WZOREK: Your Honor --

18 THE COURT: You have an objection pending?

19 MR. WZOREK: I think he said so the wrong person  
20 isn't fired. That's the main importance of any exit interview.

21 MR. EX: He is going beyond that and telling me thing  
22 that don't relate to the question.

23 THE COURT: Counsel, you are arguing with the witness.

24 MR. EX: I apologize, your Honor. I would just  
25 move to strike anything after his response about dealing with

1 giving thereason.

2 THE COURT: Overruled. You asked him about the reason  
3 and he gave you three or four, or two or three.

4 BY MR. EX:

5 Q So it is your testimony that one of the reasons for  
6 having the interview, that it was important to have it was  
7 because of the fact to have some sort of record established  
8 for worker compensation, or unemployment compensation, is  
9 that correct?

10 A Right.

11 Q Is that correct?

12 A Right, and city equipment, and also --

13 Q Isn't it a fact that one of the reasons why the city  
14 would want to have the reason for the termination was not  
15 just to protect the individual employee, but in fact to  
16 protect the city itself against any unfounded claims in an  
17 employment compensation proceeding? Isn't that also true?

18 A That is possible.

19 Q Mr. Lucille, isn't it a fact that at the time that  
20 Me. Wzorek was terminated from the city, you were not his  
21 supervisor?

22 A No, not at the last month. I was transferred.

23 MR. EX: If I could approach the witness with a  
24 marked exhibit?

25 THE COURT: You don't need to follow that protocol

1 in my courtroom. You may approach the witness any time you  
2 wish.

3 BY MR. EX:

4 Q I would like to show you what has been previously marked  
5 Defendant's Exhibit No. 25. Give you a moment to take a  
6 look at it, sir. Isn't it a fact that on June 8, of 1982, you  
7 received a city of Chicago written reprimand? The reason  
8 was that after you were called and read a complaint, that you  
9 sent it to the main office when you really didn't know what  
10 the contents of that report was that you signed?

11 A. No. No, that wasn't the way it was.

12 Q Are you denying you received that written reprimand  
13 for that reason;

14 A. What date are you stating on?

15 Q June 8, 1982.

16 Q What is this here? You gave me a wrong one.

17 Q I am sorry. Exhibit 25. On the October 21, of 1981.

18 A. Okay.

19 Q That failing to follow instructions, rules and regula-  
20 tions of the Department of Sewers. Isn't it a fact you were  
21 given a written reprimand on that date?

22 A. Okay. You want me to explain it.

23 Q No. The question is were you given a written reprimand?

24 A. It was sent to me in the mail because I got trapped on  
25 the Expressway and I couldn't make no call. I got a call over

1 the radio.

2 Q My only question is did you recieve that written repri-  
3 mand, sir?

4 A Right. It came in the mail.

5 Q MR. EX: At this time I would like to move Exhibit  
6 No. 25 into evidence. I belive that has already been stipu-  
7 lated to.

8 THE COURT: What is the relevance?

9 MR. EX: Merely to show the background of Mr.  
10 Lucille's history with the City.

11 THE COURT: What do you mean?

12 MR. EX: That his background and history that he  
13 had to show what his personal circumstances were for why he  
14 might have ultimately also been terminated, and what motive  
15 that might have on him now to testify on behalf of Mr. Wzorek.

16 MR. WZOREK: Objection, your Honor. Objection to  
17 that part. It has got nothing to do with my lawsuit.

18 THE COURT: I don't see it has anything to do with  
19 his lawsuit.

20 MR. EX: Merely to --

21 THE COURT: No.

22 MR. EX: -- establish his credibility and motive.

23 THE COURT: One reprimand in how many years?

24 THE WITNESS: 23 years.

25 THE COURT: 23 years. Have you ever been reprimanded

1 MR. EX: I believe I have, sir.

2 THE COURT: Are you mad at the city? Would you  
3 tesify against the city because of that? Of course not.

4 MR. EX: I guess I am not on trial here, your Honor.

5 THE COURT: That's right. Neither is he. Objection  
6 sustained.

7 BY MR. EX:

8 Q Mr. Lucille, I would like to show you what has been  
9 previously marked as Defendant's Exhibit No. 26.

10 A Okay.

11 Q Mr. Lucille, isn't it a fact on June 8, of 1982, you  
12 also received a written reprimand?

13 A Yes, I got this in the mail.

14 Q That the reason for your reprimand was for forwarding  
15 an answer to a claim to the main office without digesting  
16 the contents of that document before signing it?

17 A No.

18 Q That is not the reason?

19 A If he received something it wasn't, this wasn't the  
20 reason. No, it was something so miner. It was something so  
21 miner. These things like this, when you did something they  
22 took a day away from you, or something. These are something  
23 like you forgot to make a phone call. These are miner write-  
24 ups

25 Q Your testimony is you deny the reason for it was becaUse

1 you failed to forward an answer, without first looking at the  
2 substance of that answer.

3 A You see, we had --

4 Q That is all I want to know.

5 A I want to explain it.

6 THE COURT: Don't bother.

7 MR.WZOREK: I will redirect it.

8 THE COURT: Don't bother.

9 MR. WZOREK: Your Honor, this is leading nowhere.

10 We are talking two complaints in 25 years for a man.

11 THE COURT: That is argument you are making now, not  
12 objection. You can argue that later.

13 Q For the record, Mr. Lucille, I would like to hand you  
14 what is marked as Defendant's Exhibit No. 27.

15 A Right.

16 Q Isn't it a fact Mr. Lucille, that on June 6, 1984,  
17 you received a notice of disciplinary dock whereby you were  
18 docked two days?

19 A It was illegal. No signature of no supervisor issuing  
20 these documents. There's no time stamp on here.

21 Q Isn't it a fact you were disciplined and docked for  
22 two days?

23 A It was illegal. Sure they gave me two days off.

24 Q Did it happen, sir?

25 A It was illegal.

1 Q No, sir, that is not my question. The only question is  
2 did you in fact receive that document?

3 A Right.

4 Q That's all I want to know.

5 A Here is --

6 Q There is no question pending to you. Isn't it a fact,  
7 sir, that the stated reason for that disciplinary dock was  
8 due to incompetence or inefficiency in the performance of  
9 the duties of your position?

10 MR. WZOREK: Objection, your Honor. The man's  
11 character. The man has been an employee for 25 years --

12 THE COURT: The objection is sustained on another  
13 basis. It is hearsay.

14 MR. EX: May I just have a moment?

15 I have no further questions.

16 THE COURT: Redirect examination.

17 REDIRECT EXAMINATION

18 BY MR. WZOREK:

19 Q Who sold you the ticket for \$150?

20 A Sommerford.

21 Q Mr. sommerford was in position to sell you tickets for  
22 \$150 in a department that was no more political no more?

23 A He called and told me I hadn't paid him for the ticket.  
24 He called and told me he was not going to tell me no more  
25 times to pay for the ticket.

1 Q But Mr. Lucille, I thought the Department was now no  
2 longer politics.

3 A That's what I thought.

4 Q We just got those three letters showing there would be  
5 no more soliciting of funds.

6 A That is what I thought until they called and told me  
7 he wasn't going to call me no more about that ticket.

8 Q Would you consider that business as usual ?

9 A Well, I went down to pick up the payroll checks.

10 MR. EX: Objection.

11 THE COURT: Overruled.

12 Q Okay. Now we are getting back to the 27th Ward, when  
13 my opponent told you that more were kept in than were out.  
14 The point is Mr. Quigley was in charge of the 27th Ward and  
15 most of the employees, lots of employees were 27th Ward.

16 MS. SMITH: Objection as to Mr. Wzorek testifying  
17 himself. MR. WZOREK: I am asking.

18 BY MR. WZOREK:

19 Q From what you know, how many employees in the department,  
20 what percentage of the employees in the department were from  
21 the 27th Ward?

22 MR. EX: Objection. I believe it was asked and  
23 answered.

24 THE COURT: Overruled. Percentage he is asking.

25 MS. SMITH: Objection as to foundation.



1 THE COURT: Overruled. If he knows.

2 THE WITNESS: I am not sure of percentage. I  
3 couldn't say. I am not sure of the percentage.

4 BY MR. WZOREK:

5 Q Would you state Mr. Lucille, quite a bit of the employees  
6 were from the 27th Ward?

7 A Yes.

8 MS. SMITH: Objection as to quite a bit.

9 THE COURT: More than half?

10 THE WITNESS: No, no.

11 Q About a third?

12 A No. Not a third.

13 THE COURT: One out of four?

14 THE WITNESS: About, I guess 20 percent.

15 THE COURT: One out of five?

16 THE WITNESS: One out of five could have been.

17 Q So then if you are going to lay people off you couldn't  
18 lay off the whole 27th Ward.

19 A No way.

20 MR. EX: Objection as to foundation.

21 THE COURT: Overruled.

22 Q Well, we will get back to the ward cards now. The ward  
23 cards were in the district. You were describing the district.

24 A Yes. He was asking me about downtown. I told him I  
25 couldn't go downtown and look into the records and find out

1 if they still had the ward cards but I know we had the ward  
2 cards in our office.

3 Q So in other words you are stating, you are talking in my  
4 case right now about where you were in the district, not  
5 referring to McGowan, or who he brought up who was downtown.  
6 Totally different matter.

7 A Different completely.

8 Q In other words, your statement of ward cards was there  
9 with the precinct and the ward on, in the '84 probation.

10 A Right. As a matter of fact when I was taking some of  
11 my stuff and I was being transferred, took some of my things  
12 out and I found a couple ward cards in there. That is why I  
13 happened to have this here.

14 Q If you would like to relate to one of your reprimands  
15 so they would know what kind of employee you are, would you  
16 like to state on that reprimand what --

17 A Sure.

18 MR. EX: Objection.

19 THE COURT: Overruled.

20 Q Go ahead.

21 A I was on the Expressway. I got a call over the radio  
22 said, call the Commissioner right away. So I am on the Express-  
23 way, the express lane during the rush hour. I couldn't get  
24 off. When I finally got off and found a phone, Monico told  
25 me the Commissioner is mad, write you up.

1 I said, Monico, I was on the expressway. I couldn't  
2 get off. He said, well he said write you up.

3 Q Would you like to relate the other two?

4 A This other one with no signature on there. This is no  
5 good. Doesn't say anything about this because he put no  
6 signature and no time stamp. If I had known I wouldn't take  
7 the two days off if I had known it was illegally wrote.

8 MR. EX: Objection as to characterization.

9 THE COURT: Overruled.

10 BY MR. WZOREK:

11 Q Is your name signed to this?

12 A My name is not signed on there and whoever wrote it  
13 didn't sign it.

14 Q Is there a refuse to sign on that one?

15 A No.

16 Q That speaks for itself because isn't it true Mr. Lucille  
17 that any boss where an employee will not sign, will write  
18 "refuse to sign"?

19 A Refuse to sign.

20 Q Do you have one more you want to tell us about?

21 A This other one.

22 MS. SMITH: Objection to Mr. Lucille testifying  
23 in narrative fashion.

24 THE COURT: No, you put in three.  
25

1 B: MR. WZOREK:

2 Q There are three.

3 A This other one I am not quite sure but I know it is not  
4 what it says down there because they was so miner. They get  
5 mad for the most miner thing, almost like kids.

6 Q Mr. Lucille, would you say an employee who has been in  
7 the business for 25 years and only has three reprimands is a  
8 pretty good employee?

9 A Yes. I know one man working for the City up until  
10 recently who had 30 in his jacket.

11 Q And he's still there?

12 A He just got fired about six months ago.

13 MR. EX: Objection.

14 THE COURT: Overruled.

15 Q This same man now that we are describing, if I could,  
16 could we produce his name?

17 A James Rose.

18 Q Was there an incident now in the past with him and  
19 Commissioner Quigley in the office where they had some kind of  
20 to-do with everybody?

21 MR. EX: Objection. No relevance. Foundation.

22 MR. WZOREK: We're going to build to that.

23 THE WITNESS: There is a police case on that. Matter  
24 of fact, he attacked a commissioner in his office.

25 MS. SMITH: Objection as to what commissioner

1 THE WITNESS: Commissioner Quigley.

2 THE COURT: He told you which commissioner earlier.

3 MS. SMITH: There is objection that there is no  
4 foundation as to whether or not this employee had career  
5 service and therefore --

6 THE COURT: You were not listening to the question  
7 so the last two objections would have been answered if you  
8 were paying attention.

9 BY MR. WZOREK:

10 Q If you are going to fire employees for this kind of stu  
11 how can a man stay in there who in the past has attacked  
12 a commissioner?

13 MR. EX: Objection. Argumentative.

14 THE COURT: Sustained.

15 VY MR. WZOREK:

16 Q So in other words, Mr. Lucille, attacking a commissioner  
17 in this regime in 1984 was less of a crime than not having  
18 a helmet.

19 A. Right.

20 MR EX: Objection. Foundation.

21 THE WITNESS: But he attack --

22 MR. EX: Knowledge from someone else.

23 THE COURT: Overruled.

24 THE WITNESS: He just got fired for attacking dist  
25 foreman, and that is what got him fired about six months ago

1 I'm quite sure they know the case.

2 Q Is it to your knowledge Mr. Lucille, that any employees  
3 would sometimes be drinking on the job or would carry guns?

4 A Yes. L.P.'s to come into a new district and drop a gun  
5 on the floor.

6 MR. EX: Objection. I don't know where this is  
7 leading. It is totally irrelevant to anything in this law-  
8 suit.

9 MR. WZOREK: We are trying to get across that people  
10 were fired for far less than even crimes they could be put  
11 in jail for.

12 THE COURT: Sustained. I mean overruled. Objection  
13 overruled.

14 MR. WZOREK: Thank you Mr. Lucille. I have no  
15 further questions.

16 THE COURT: Recross?

17 RECROSS EXAMINATION

18 VY ME. EX:

19 Q Mr. Lucille, you had just stated that the ward cards  
20 that you claim you kept filling out --

21 A I didnt' fill them out.

22 Q With the ward information.

23 A The men fill them out. They come in and they fill them  
24 out.

25 Q You maintain these cards?

1 A We maintain these cards.

2 Q You stated you maintain these cards in your district  
3 office?

4 A Right.

5 Q Where is that district office?

6 A When I was there -- it is no longer there, but 7521  
7 South Western

8 Q So that is a working office. It is not part of the  
9 headquarters or City Hall offices of the Sewer Department.

10 A It is a district office.

11 Q So it is not part of the Sewer Department headquarters.

12 A Yes, it is a Sewer Department headquarters there.

13 Q Sewer Department headquarters? Is that where the  
14 Commissioner would work out of?

15 A No, the Commissioner don't work out of there. The  
16 district foreman works out of there and assistant district  
17 foreman, and I had about 50 other men that work out there.

18 THE COURT: What is this all about, Mr. Ex?

19 MR. EX: Well, your Honor, the reason for this line of  
20 questioning is to try and establish he is talking about some  
21 ward cards that were merely in his particular office.

22 THE COURT: That's right. All that counsel was doing  
23 was responding to your direct examination where you suggested  
24 to impeach him by some prior deposition, testimony in deposition  
25 that talked about something downtown and related to another

1 case. This is a waste of time.

2 MR. EX: No, your Honor. Part of the issues in this  
3 case is to show whether or not in fact the people who had the  
4 authority to discharge and whether or not they had any political  
5 motivation, whether or not they would have had opportunities  
6 to, or any reason to be looking at his ward cards that were  
7 in his local office as opposed to being in their offices?

8 THE COURT: He has already said on redirect exam-  
9 ination they were not downtown cards. They were the cards  
10 in the area.

11 MR. EX: I just wanted to make a point for the  
12 record, your Honor.

13 THE COURT: It is made by the other side in order  
14 to respond to your attempted impeachment. You are trying  
15 to rehabilitate him from your own attempted impeachment.

16 MR. EX: No. Again, I want to make clear there was  
17 no misunderstanding. That's all.

18 THE COURT: All right, anything else? Briefly.

19 MR. WZOREK: Is there any cards that would go,  
20 downtown with wards on them that the employees had to  
21 sign?

22 THE WITNESS: Yes.

23 REDIRECT EXAMINATION

24 BY MR. WZOREK:

25 Q Since Mr. Ex brought it up, I remembered there were



1 cards. Would you describe those cards?

2 A Sure. We had to send those cards down. We had to make  
3 two out, one for our office and one for downtown.

4 Q Then there are personnel cards too, right?

5 A Personnel cards.

6 Q Are there wards on these personnel cards?

7 A Yes.

8 MR. EX: Objection, your Honor. Foundation.

9 THE WITNESS: I worked in every district.

10 THE COURT: Overruled.

11 THE WITNESS: Every district have ward cards.

12 BY MR. WZOREK:

13 Q So then the people downtown would know what ward you are  
14 from

15 A Yes.

16 Q MR. EX: If I may just follow up.

17 FURTHER RECROSS EXAMINATION

18 BY MR. EX:

19 Q Mr. Lucille, did you in fact ever personally send these  
20 cared, ward cards, downtown?

21 A Yes.

22 Q Who did you send them to?

23 A Most of the time if I could recall, it went to -- I am  
24 not sure. They went to the personnel -- no, I think they  
25 went to the timekeeper section. No, they went to Monico.

1 We sent them to Monico during the time. Sent to Monico, right  
2 next to the Commissioner's office. I am not sure exactly who  
3 I -- I remember a couple of times Monico used to get them and  
4 I think sometimes we sent them to the payroll department.

5 Q Was Mr. Monico employed by the City of Chicago once Harold  
6 Washington was elected?

7 A For a while he was.

8 Q Did you send them to Mr. Monico during that period?

9 A I don't recall if I sent them during that particular time.

10 Q Can you remember ever sending them to anyone in the person  
11 department after Harold Washington was elected?

12 A No, I can't remember sending them to no one downtown.

13 MR. EX: I have no further questions.

14 THE WITNESS: We kept them in tact.

15 FURTHER REDIRECT EXAMINATION

16 BY MR WZOREK:

17 Q But you did send cards downtown.

18 A They had a set down there.

19 Q Did you send them down town?

20 D MR. EX: Objection. Asked and answered.

21 THE COURT: Yes.

22 Q But whoever received them --

23 MR. EX: Asked and answered

24 Q To your knowledge, did they go downtown?

25 THE COURT: Now, just a moment. I am not going to

1 accept that. Mr. Ex, you can object to counsel after he has  
2 finished but let him finish. Are you afraid to let me hear  
3 him?

4 MR. EX: No, your Honor.

5 BY MR WZOREK:

6 In other words, Mr. Lucille, you did send cards downtown.

7 THE COURT: He already said that.

8 No matter who they went to, they went downtown.

9 A Yes.

10 MR WZOREK: All right.

11 THE COURT: All right, you may step down, sir. You are  
12 excused.

13 (Witnesses excused.)

14 THE COURT: You are not going to get your other witnesses  
15 in tonight. I have got people waiting for my next appointment.  
16 Tomorrow, 10:30 on trial. I expect you can finish the trial  
17 by tomorrow. How many more witnesses have you got?

18 MR WZOREK: I was just going to call, I think four  
19 witnesses.

20 MS. SMITH: He has five more witnesses.

21 MR. EX: He was planning to call four or five.

22 MR. WZOREK: If you want me to knock them down, I will  
23 knock two down.

24 THE COURT: No, call your witnesses but keep it moving.  
25 How many do you expect to call?

155

1 MR. EX: Well, your Honor, we probably expect to call  
2 about four or five witnesses, depending on what rebuttal  
3 witnesses we may need in addition.

4 THE COURT: Okay. Have them all lined up. Tomorrow  
5 by noon we will have a good idea how it is going to go, but at  
6 the moment you can expect to go a long day tomorrow.

7 MR. EX: Judge, I just would like to make a request  
8 that since Charles Pounian is going out of town after tomorrow  
9 that we make every effort to try and get his testimony on for  
10 both of us. I know it is possible.

11 THE COURT: We will do the best we can.

12 MS. SMITH: Thank you, Judge.

13 THE COURT: All right, 10:30 tomorrow morning.

14 (Whereupon at 4:30 p.m. a recess was had until  
15 10:30 a.m. June 30, 1988.)

16 - - -  
17  
18  
19  
20  
21  
22  
23  
24  
25